The Solicitors' Journal.

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CURRENT TOPICS.

No date has yet been fixed for the introduction of the Government Bankruptcy Bill, and it is, at present, impossible to say when it will be brought in.

Mr. Justice Kay will not sit on Saturday, but will proceed with his own non-witness causes on Monday and subsequent days.

An order for the re-transfer of all Mr. Justice Chitty's causes from Mr. Justice Kay is about to be issued.

Mr. Justice Chitty, having returned from circuit, will sit in the Rolls Court on Monday next at eleven o'clock, and will take non-witness causes. His lordship's petitions of this week will be taken on Tuesday. Non-witness causes will be taken on Wednesday and Thursday; motions on Friday, and petitions on Saturday; on each day, with the exception of Monday, at ten o'clock.

It would appear that the repeated discussions in this journal with reference to the condition of the Middlesex Registry are likely to lead to some practical result, the Attorney-General having introduced a Bill to make better provision for the office of the Middlesex Registry. The Bill is not yet in print, but it may be hoped that it will contain some provision for improving the index, than which, as Mr. Osborne Morgan's committee declared, "nothing can be more unsatisfactory."

The letter we print from a correspondent, complaining of the delays in the chambers of the judges of the Chancery Division, deserves the careful attention of the authorities. No one can deny that the chief clerks and their staffs are among the most efficient of the officials attached to the courts, but they are too few in number to cope with the work, and the result is (in some of the chambers) that even in the simplest cases it is impossible to obtain an appointment for an early date. Our correspondent tells us that in a simple administration action he applied for an appointment to proceed on inquiries, but could not obtain one earlier than seven weeks hence. This is a very serious state of things, not only for the client, but also for the solicitor, who is always blamed for delays which are really due to the inadequacy of the official staff.

In two cases, which were in the list of the Court of Appeal for the 10th inst., but which had not been reached at the close of the sitting, applications were made, at the rising of the court, that they should not be in the paper for the following day, on the ground that there was no objection on either side, and that the leading counsel engaged would have to be employed elsewhere, in one case in the Court of Bankruptcy, in the other case in the House of Lords. The court refused both applications, the Master of the Rolls stating that their lordships had determined to lay down a definite rule in these matters, and that it must be understood that in future such applications would not be granted in any case. To act otherwise would lead to great confusion and inconvenience, and also to giving an advantage to particular counsel at the expense of others. Equal justice ought to be done to all.

We print this week the report of the Committee of the Incorporated Law Society appointed to consider the report of the Lord Chancellor's Legal Procedure Committee. We comment elsewhere on some of the leading features of this document, and need only add here the remark that, although we cannot concur in all the recommendations, we can gladly testify to the care and ability shown by the committee. The report, taken in connection with the former action of the council, will be a standing proof of the expediency of referring all matters of exceptional importance to the consideration of the members at large, instead of keeping them within the privacy of the council chamber. The recommendations of the committee will be discussed at the meeting to be held on Wednesday next, and it is to be hoped that members of the society will testify their appreciation of the services rendered by the committee by attending in considerable numbers; that they will be prepared with definite opinions on relevant subjects, and will be willing to deny themselves the luxury of long speeches.

Since the retirement of Vice-Chancellor Malins there has arisen some danger of the public's failing to understand or appreciate aright the paternal jurisdiction exercised by the judges of the Chancery Division over wards of court, both male and female. Mr. Justice Fry's solemn lecture, appropriately delivered on Valentine's Day, on the subject of marriages of wards, will, it may be hoped, recall to the recollection of lovers the penalties incurred by those who, without the permission of a judge, make declarations to wards of court. In the case of an unauthorized proposal to a female ward, the result varies from imprisonment of the proposer to a lecture to him by the judge, combined with a costly injunction to him, and perhaps to the friends and relations of the parties, and possibly also (for such orders have been known) to the clergyman of the parish, against communicating with by word or letter, or aiding, or abetting, or taking part in, the marriage of the ward. In the case of a male ward of court the procedure is not quite so stern. It is practically impossible to imprison, in the first instance, a young lady to whom the male ward has made unauthorized advances; and the course usually taken is to remit her, if she is an infant, to the care of her guardians, and if she has attained years of discretion, to grant an injunction against her having any communication with her unauthorized lover, for breach of which injunction she may be imprisoned. Over and above all this there is the possibility of all the tender communications between the parties being ordered (as was done in one instance) to be handed over to an unsympathetic Registrar of the Supreme Court, to be destroyed by fire in the presence of the solicitors of both parties. We abstain from harrowing the feelings of our readers by enlarging upon the terrific penalties which are incurred in the case of an actual unauthorized marriage of a ward of court.

The refractory jury at Bristol, who refused to take their law from the judge, and desired to be furnished with a copy of the report of *R.* v. *Negus* (L. R. 2 C. C. 34), were probably unaware that they were guilty of a most unconstitutional usurpation, and a grave breach of their duty. If instead of remitting them with a mild lecture to the bosoms of their families, Lord Coleridge had detained them while he read the observations of one of his predecessors, they would probably have understood more clearly the heinous nature of their offence. "The fundamental definition of trial by jury," said Lord Mansfield in *R.* v. *The Dean of St. Asaph* (21 How's State Trials, 1039), "depends upon the universal maxim *ad quæstionem juris non respondent juratores; ad quæstionem facti non respondent judices*," and he added, "the constitution trusts that, under the direction of a judge, they will not usurp a jurisdiction which is not in their province. They do not know, and are not presumed

to know, the law: they are not sworn to decide the law; they are not required to decide the law. It is the duty of the judge, in all cases of general justice, to tell the jury how to do right, though they have it in their power to do wrong, which is a matter entirely between God and their own consciences." It appears that in the United States the question was once raised whether this rule applies in criminal cases, but it was unhesitatingly decided that it did; and Mr. Justice STORY, in one of the finest of his judgments, laid it down that it is "the most sacred constitutional right of every party accused of a crime, that the jury should respond as to the facts, and the court as to the law. It is the duty of the court to instruct the jury as to the law; and it is the duty of the jury to follow the law as it is laid down by the court. This is the right of every citizen, and it is his only protection. . . . Every person accused as a criminal has a right to be tried according to the law of the land, the fixed law of the land; and not by the law as a jury may understand it, or choose, from wantonness, ignorance, or accidental mistake, to interpret it" (*United States* v. *Battiste*, 2 Sumn. 243). It would be difficult to state more forcibly the reasons why in criminal cases juries should not follow the example of the Bristol wiseacres.

A RECENT CASE of alleged personation suggests an inquiry as to what is the punishment for the offence. It will be found that, although obtaining property by false and deceitful personation was always a misdemeanor at common law, punishable by fine and imprisonment (2 East P. C., c. XX., s. 5), and although special frauds of this description—*e.g.*, the personation of soldiers (2 Will. 4, c. 53, s. 49) or sailors (11 Geo. 4, & 1 Will. 4, c. 20, s. 84) to obtain their pay; of stockholders to receive their dividends (24 & 25 Vict. c. 98, s. 3); of masters to give false characters to servants (32 Geo. 3, c. 56), and of voters at parliamentary, municipal, and school board elections, have been made grievous, and in most cases felonious, offences from time to time, there was no general statute upon the subject until the False Personation Act, 1874 (37 & 38 Vict. c. 36), was passed "to render personation, with intent to deprive any person of real estate or other property, felony." This statute, which was passed after, and probably suggested by, the case of *Reg.* v. *Castro*, otherwise ORTON, otherwise Sir ROGER TICHBORNE, Baronet, is a remarkably severe one. It enacts that "if any person shall falsely and deceitfully personate any person, . . . with intent fraudulently to obtain any land, estate, chattel, money, valuable security, or property, he shall be guilty of felony, and upon conviction shall be liable" to penal servitude. That the person personated is dead does not appear to make the offence less complete (see *R.* v. *Brown*, R. & R. 324, decided on the statute relating to the personation of seamen). The peculiar severity of the Act of 1874 consists in making the offence complete although no property be in fact obtained by the personator, and although the property parted with was not parted with from a belief in the personation. In this respect the offence of personation differs materially from that of obtaining money, &c., under false pretences, which cannot be committed unless the money, &c., was actually obtained (24 & 25 Vict. c. 100, s. 91) by means of the false pretences (*Reg.* v. *Mills*, Dears & B. C. C. 205). Of course a personator may be indicted merely for obtaining money under false pretences (see *R.* v. *Story*, R. & R. 81), a course which the framers of the Act appear to have contemplated as possible, for section 2 provides that "nothing in this Act shall prevent any person from being proceeded against and punished under any other Act, or at common law, in respect of an offence (if any) punishable as well under this Act as under any other Act, or at common law." The maximum punishment, however, for merely obtaining money under false pretences is, by 24 & 25 Vict. c. 100, s. 91, as amended by 27 & 28 Vict. c. 47, s. 2, five years' penal servitude, whereas obtaining money by false personation is, by the False Personation Act, 1874, punishable by penal servitude for life.

IF THE RACE of law reformers is not extinct (and we see no reason to doubt their fecundity), we could suggest to them a reform of humble aspect which seems to us nevertheless to promise greater benefits to the public than many more ambitious schemes. Let the use of that ominous phrase, "it is all a question of intention," and of all its equivalents, be utterly interdicted to her Majesty's judges. This reflection has been suggested to us by a case (*In re Tanqueray-Willaume & Landau*) which was decided last week by the Court of Appeal. The principal question at issue was the old one, whether a direction to pay a testator's debts, accompanied by a devise to the executors, creates a charge of the debts upon the realty. Mr. Justice KAY had held that in this case no such charge was created, upon the ground that the executors, though taking the legal estate as joint tenants, took unequal interests as beneficiaries. This decision has just been reversed by the Court of Appeal, who have gone a long way towards laying down the general rule, that a direction to pay debts coupled with any devise whatever, whether beneficial or not, to the executor or executors jointly, will create a charge upon the realty for the payment of the debts. We quite think that the step is in the right direction; but it is remarkable that the Master of the Rolls should, according to the report, have seemed to think that he was only following the opinion expressed by Mr. Justice FRY in the case of *Bailey* v. *Bailey* (27 W. R. 909, L. R. 12 Ch. D. 268). That opinion is, except as regards the sentence cited by the Master of the Rolls, somewhat nebulous; reducing (or rather, expanding) the whole matter to a "question of intention" in a way which leaves a wider scope even than usual for mere guessing. We think it is to the public advantage that Mr. Justice KAY's decision should have been overruled; but we also think that his decision accords at least as well with Mr. Justice FRY's opinion in *Bailey* v. *Bailey* as with that of the judges who overruled him. The court also decided that, unless twenty years have elapsed since the testator's death, an intending purchaser cannot question the authority of the executor to sell, upon the ground that a charge for the payment of debts must be presumed to have been satisfied by the debts having been paid.

THE LAW SOCIETY'S COMMITTEE ON LEGAL PROCEDURE.

THE committee appointed by the Incorporated Law Society has now drawn up and issued its report on the recommendations of the Procedure Committee; and this carefully written document affords a great contrast to the hasty and perfunctory utterance some time since put forth by the council of the same society. As the report of the Procedure Committee was recently commented on in these columns at considerable length, it is unnecessary now to follow the present report through all its recommendations, most, and the most important, of which we find to be in harmony with the views we have already expressed; but there are some points which it may be useful to draw attention to, partly because new and valuable suggestions are made, and partly because some of the proposals advanced or accepted seem open to question.

On the question of costs, we had pointed out that there were two methods of diminishing them—one by diminishing the occasions for incurring them, the other by lessening the payment to be made for the work done. The committee are of opinion that "the only proper, and, indeed, the only effectual, way to lessen expense is to lessen the amount of work to be done." We are not prepared to dissent from this; but the committee do not appear to have fully realized the desirable, if not necessary, consequence that the occasions for incurring expenses should, if possible, be diminished. On the contrary, under several of their recommendations the occasions would be increased. They seem to have narrowly escaped the idle proposal for the increase of perjury, by requiring pleadings to be certified on oath, with the accompanying privilege of orally cross-examining this sworn testimony; a proposal which could only have the effect of introducing a trial of whether either party has a *primâ facie* case as a preliminary skirmish to the trial whether he has a real case. They do, in fact, propose that, in addition to pleadings, which they would retain as showing the parties what they are at issue upon, there should be a settling of issues before the judge to determine that question still further.

Yet it is almost notorious that such issues when actually settled rarely give satisfaction, and that at the trial it is found that the parties and the judge have practically to re-draw them. It is supposed that this would "narrow the question actually disputed," and that "the settlement of issues would indeed often result in settling the action." This view appears to us to be wholly unpractical. It could only be properly done with the assistance of the counsel on whom the burden of maintaining the case in court is to fall; and it could only be properly done by them if they were as fully instructed as they are at the trial. That in some particular actions it might be useful is possible, though we believe the event would be a rare one; but to burden every action with this preliminary application would be to add a new and expensive, and for the most part wholly useless, charge to the costs of litigation.

The charge of shorthand notes also we cannot but regard as wholly unnecessary in the great majority of actions; and must demur to the costs being increased by this charge, even in the modified form in which it is recommended.

The proposal to admit specific facts is accepted by the committee as likely in many cases to save expense. It has a plausible appearance; but if any one accustomed to advise on evidence will consider with himself how this notice should be constructed, or how it should be accepted, so as to avoid the difficulty of requiring or of giving too wide an admission, he will, we think, become sceptical as to the advantage to be derived from it, and still more as to the possibility of fairly working the costs which are to depend on its acceptance or rejection; while there is no difficulty in seeing that no step in the action will require greater care and caution.

Some occasions of expense, however, the committee propose to abolish. Their proposal that an official certificate shall be evidence of due registration would probably be a safe and useful addition to the law of evidence; and the proposal that the parties may agree to take any portion of the evidence on affidavit only may possibly be of some, though we should suppose of very limited, advantage.

On the important point of discovery the committee accept the recommendation that the party requiring it should pay for it in the first instance; but they object to the restriction of interrogatories or discovery by the discretion of a master, proposing however, with respect to discovery, to substitute for such a restriction a limitation to be imposed by the party requiring the discovery, who must state what are the points in relation to which he requires it. We doubt the value or wisdom of this limitation; but we must admit that we share the reluctance of the committee to submit this most valuable instrument to the discretion of a master. The point is a difficult one. When interrogatories and discovery were first introduced into common law practice they were put under restraint and check. It was found by practice, or thought to be found, that the operation of this restraining power caused more delay and more costs than it was worth, and step by step this control has been lessened and discarded. To return to a discarded practice, the mischiefs of which are, perhaps, forgotten, is always a doubtful and perilous step. The abuse of this part of procedure is, to a large extent, directly chargeable on the masters, who have forced interrogatories upon litigants by depriving them of the far simpler and cheaper remedy of particulars. If that practice were relaxed, we believe the check imposed by the necessity of paying for answers and discovery in the first instance would be sufficient to prevent the abuses that have been so much complained of.

With reference to chamber practice, the committee have elaborated a most carefully-drawn and practical series of recommendations, which are too detailed to admit of notice here, but which are evidently the result of an intimate acquaintance with the causes of expense, delay, and inconvenience. We may notice, however, that they accept the principle of assigning each action to a particular master.

Their mode of dealing with summonses (which they rightly, as we think, retain against the opinion of a "considerable minority," who would substitute "notices," to be drawn up altogether at the discretion of the parties) strikes us as not altogether happy. As to the moulding of the summons within the limits they prescribe, it is done every day, and it is altogether unnecessary to provide for it by a rule; and as to the appeal, which, they propose, shall not be by a separate summons, but by a reference of the original summons to the judge by the master, they fail to notice that their scheme compels the party either to elect on the spot whether he will appeal, or else to make a fresh application to the master to "refer" the summons, and "to indorse on the summons" the reasons of his decision on a matter which will have then passed from his memory. The proposed change seems a gratuitous one, practically saving nothing in any case, and tending to multiply appeals by not allowing time for reflection.

As to judgment debtor summonses, it is proposed that the *onus* of showing the non-existence of means should be cast on the debtor. This seems reasonable; though, as the debtor will immediately discharge himself of that burden by swearing that he has no means, the effect will probably not be important. The proposal to transfer the matter to the Bankruptcy Court must, we think, stand over until we know more of what the Bankruptcy Court of the future is to be.

The committee so much approve of the system of official referees that they wish their number increased and their power augmented, and the arbitration business of the masters transferred to them. We should have rather favoured the absorption of the official referees in the masters, increased in number, if necessary to meet those duties. There is, it must be allowed, a pretentious and unbusinesslike character about the new tribunal which makes it compare unfavourably with others of older standing. Neither can we, as at present advised, accept the view that appeal on questions of *fact* should lie from the decisions pronounced in compulsory references. The value of the procedure would be seriously diminished if matters which, because of their nature, and as unfit for another form of trial, are sent to reference, should be open to be tried over again before a tribunal for which they have been already pronounced unfit. But on questions of law it may be readily agreed there should be an appeal.

With respect to the "third party" a somewhat crude recommendation is made, under which it is supposed that a third party can be "held liable" in the original action. That such an idea was originally entertained there is no doubt; but it is equally without doubt that except by consent no such "holding" can be made or judgment entered. It may be that the third-party rules should be modified and extended according to the original design; but the recommendation as it stands is illogical.

Finally (and it is only in a somewhat hasty way that we can at present deal with this report, which we may hereafter have opportunity of examining more fully) we must notice three recommendations appended to the report (1) that proceedings under ord. 14, r. 1, should be extended to actions for the recovery of land; (2) that the practice under the Bills of Exchange Act should be restored, but limiting the time to eight days instead of twelve; and (3) that the long vacation should be reduced. All these recommendations appear to be of real practical utility. And great thanks are due from the profession to the committee for the care and ability with which they have discharged their difficult and tedious duty.

On Tuesday Mr. Justice Fry, on taking his seat, addressed Mr. John Pearson, Q.C., the senior member of the bar present, to the following effect:—"Mr. Pearson,—I think it right to make a statement in reference to two cases which were brought before me yesterday in chambers with reference to marriages with wards of court without the leave of the court, and, as is alleged, without consent of the guardians and relatives of the wards. In each case I found it my painful duty to commit to prison for contempt of court the man who had gone through the ceremony of marriage with the ward, and in each case I found so much culpable negligence on the part of the relatives and guardians who had permitted these marriages to be possible, that, in addition to the inquiry as to the validity of each marriage, I have directed an inquiry to be made as to the complicity (if any) of the guardians and relatives in bringing about these marriages. The cases were properly brought before me in chambers in private, but I was so much struck by the circumstance of two such cases being brought before me on one day, that I have thought it right to make this public statement in reference to them, in order that people may understand the grave nature of the offence committed in marrying or bringing about a marriage with a ward of this court without its consent.—Mr. Pearson: In reference to the statement which your lordship has been pleased to make, may I venture to ask whether the marriages were by banns or by licence?—His lordship: In one case by banns, in the other by licence.—Mr. Pearson: In my experience in the worst cases of this kind the parties always resort to marriage by banns.

SOME POINTS FOR CONSIDERATION AS TO THIS YEAR'S BANKRUPTCY BILL.

II.

One of the most important questions with regard to bankruptcy law at the present time is the effect which section 20 of the Bills of Sale Act, 1878, has had upon the law of order and disposition as provided by the Bankruptcy Act, 1869, s. 16, sub-section 5. This question has given rise to a great amount of discussion, and was given considerable prominence to at the meeting of the Incorporated Law Society at Brighton in October last. *Apropos* of the debate which took place at that meeting on the paper upon Bills of Sale, read by Mr. Saunders, of Birmingham, we took occasion (25 Solicitors' Journal, p. 926) to make a suggestion upon the subject, which we think it will not be out of place to repeat in these papers. Whilst agreeing to a limited extent with the majority of the meeting as to the propriety of allowing a person possessed of personal chattels, such as furniture owned by a lodging-house keeper, machinery by a manufacturer, and similar cases, to raise money thereon by bill of sale, we suggested that the principle propounded by Mr. Saunders, and others forming the minority, of rendering it illegal by enactment to grant a bill of sale on personal effects might well be applied to stock-in-trade and articles in which a debtor deals in the ordinary course of his trade, and more particularly with regard to after-acquired property of that nature. A further consideration of the question confirms us in the views we then expressed, and in the view that, without repealing or altering in any way section 20 of the Bills of Sale Act, the adoption of our suggestion would remedy the evils complained of as having been occasioned by that section. We are aware that it would be introducing something of a novelty in the law to recognize as it were only a sort of *quasi* ownership and not an absolute ownership by a trader in his stock-in-trade, which would be the practical effect of our suggestion. But we apprehend that will not be a very startling circumstance to the President of the Board of Trade if only the theory recommends itself to his judgment. It is to the stock-in-trade which a retail trader possesses that wholesale dealers look for payment of their accounts, and in regulating the amount of credit which they will give, and so long as a trader owes accounts in respect of his trading he ought to be prevented, as far as practicable, from dealing with that stock except in the ordinary way of his trade. This is no new principle with the Legislature, as is evidenced by section 11, sub-section 15, of the Debtors Act, 1869, which provides that a bankrupt or liquidating trader, within four months before his bankruptcy or liquidation, pawning, pledging, or disposing of, otherwise than in the ordinary way of his trade, any property which he has obtained on credit and has not paid for, shall be guilty of a misdemeanour, and be liable to imprisonment. Then why should it not be extended, as we have suggested, so as to effect, as we think it would, a beneficial result? When a trader has to resort to the expedient of raising money by giving a bill of sale on his stock-in-trade, we may be very sure that he is on his last legs, and our experience tells us that in ninety-nine per cent. of such cases the relief he thus obtains is only temporary, and does not long ward off the final crash, which, when it does come, is all the more disastrous both to himself and his creditors, besides opening the door to a very great amount of fraud. The remedy we suggested was that it should be provided that the giving of a bill of sale by a trader over his stock-in-trade should constitute an act of bankruptcy; but, on further reflection, we think this would not by itself be sufficient, and we would therefore suggest, in addition, that where a bill of sale over stock-in-trade (and we would further include trade book-debts) is given more than twelve months prior to adjudication, so that a trustee's title would not relate back thereto, such bill of sale should be void if the property included therein, or any part thereof, should be in the apparent possession (as defined by the Bills of Sale Act) of the debtor at any time within, say, three months prior to the filing of a bankruptcy petition by or against him, so far as regards such property as should remain in his apparent possession within such time. In fact, in our opinion, the law on the subject could scarcely be made too stringent. The arguments made use of at the Brighton meeting of the Incorporated Law Society in opposition to the suggested repeal of section 20 of the Bills of Sale Act were all founded on the policy of allowing persons possessed of personal estate, such as a lodging-house keeper owning furniture, or a manufacturer owning machinery, to raise money thereon just as much as upon real estate; but, so far as appears by the report, not one of the speakers ventured to include stock-in-trade owned by a trader in his arguments. Now, we fully admit the principle with regard to all kinds of personal effects other than stock-in-trade and trade book-debts, but we submit that it would be most beneficial to protect the trading community by excepting that class of property from the power of the owners to incumber it by a bill of sale.

The consideration of section 20 of the Bills of Sale Act, 1878, brings us to a much wider question, upon which, in our opinion, an alteration in the present law might very beneficially be made—viz., the question of property of others in the order and disposition of a bankrupt at the time of his bankruptcy passing to his trustee for the benefit of his creditors. It is a matter of considerable interest to trace the history of this law, and the alterations which have been made therein, and particularly the inroads in the application of the law which were made by the Bankruptcy Act, 1869, and the Bills of Sale Act, 1878. The first statute on the subject was 21 Jac. 1, c. 19, s. 11, which provision was, with slight alterations, re-enacted by 6 Geo. 4, c. 16, s. 72, and the provision of the last mentioned Act was repeated in section 125 of the Act of 1849, with an exception as to ships. The wording of that section is as follows (omitting the proviso at the end containing the exception before mentioned):—

"That if any bankrupt at the time he becomes bankrupt shall, by the consent and permission of the true owner thereof, have in his possession, order, or disposition any goods or chattels whereof he was reputed owner, or whereof he had taken upon him the sale, alteration, or disposition as owner, the court shall have power to order the same to be sold and disposed of for the benefit of the creditors under the bankruptcy."

The differences between the above section and the section in the statute of James are that in the former the words are "possession, order, *or* disposition," and in the latter they were "possession, order, *and* disposition"; and again in the former the words are "whereof he was reputed owner *or* whereof he had taken upon him the sale," &c.; whilst in the statute of James they were "whereof they shall be reputed owners *and* take upon them the sale," &c. Up to the passing of the Act of 1861 only traders were liable to be made bankrupt, so that of course the law of order and disposition only applied to them. But by that Act non-traders became liable to be made bankrupt, and then the law of order and disposition applied equally to them. The object of the law originally was to prevent traders from obtaining false credit on the strength of owning property which did not belong to them, but which, being in their possession, order, and disposition, gave them the appearance of having means of payment which they did not really possess. It was therefore thought to be a just penalty to inflict upon the true owners of such property to deprive them thereof for the benefit of the creditors, who might have been deceived into giving credit on the assumption that such property belonged to their debtor. After the passing of the Act of 1861 it was felt that the application of the law to non-traders was unnecessary and wrong, as the same reasons did not apply in their case as in the case of traders, and accordingly by the Act of 1869 considerable alterations and limitations in the law were made, as will be seen by comparing so much of section 15 of that Act as relates to the question with section 125 of the Act of 1849. Section 15 of the Act of 1869, so far as it deals with this question, is as follows:—

"The property of the bankrupt divisible amongst his creditors . . . shall comprise the following particulars (*inter alia*):—

"(5.) All goods and chattels being at the commencement of the bankruptcy in the possession, order, or disposition of the bankrupt, being a trader, by the consent and permission of the true owner, of which goods and chattels the bankrupt is reputed owner, or of which he has taken upon himself the sale or disposition as owner; provided that things in action other than debts due to him in the course of his trade or business shall not be deemed goods and chattels within the meaning of this clause."

The alterations effected in the law by that section will be seen to be, first, to limit the application of the law to bankrupt *traders;* secondly, to vest the property in the trustee immediately upon his appointment without any special order of court; and, thirdly, the exception of things in action other than trade debts. Section 20 of the Bills of Sale Act, 1878, made a still more sweeping exception by excluding from the operation of section 15, sub-section 5, of the Bankruptcy Act, 1869, all chattels comprised in any bill of sale duly registered under that Act. Now, in our opinion, by the passing of that section the only remaining value of the law of order and disposition was done away with, and it would be much better to entirely repeal the law than to continue it as at present. It always has been a doubtful question whether the law did not create much greater hardships than it remedied, and we have very little hesitation in saying that now its only effect is to create hardships. We will only give one instance within our own knowledge as an example. At a sale by auction of machinery a gentleman purchased a portion for £200, and paid the amount to the auctioneer. For the convenience of the purchaser, the vendor allowed the machinery to remain on his premises until the purchaser could remove it, and it so remained for some days, when the vendor filed a petition for liquidation. The trustee claimed the machinery as being in the debtor's reputed ownership, and the innocent purchaser not only lost the whole of it, but was unable even to prove against the estate for his £200 and get a dividend thereon. Now, this was a case of unmitigated hardship, as it is very certain that no creditor could ever have been deceived by the action of the purchaser into giving credit to the debtor, which he would otherwise not have done. Of course it may be said that everyone is presumed to know the law, and the purchaser ought to have known better than to have left his machinery as he did. That is very true; but at least everyone has a right to presume and expect that the law will deal fairly and honestly between man and man; and when we find that it has not that result, then, by all means, let it be altered. The policy of the law might have been very correct in the time of James I., but in these days it seems to us a little antiquated, very much bordering on the

absurd, and not at all suited to the requirements of the present age, especially when we consider the numerous exceptions founded on the various customs of different trades which the courts have from time to time engrafted upon the rule.

Another point which we have often found to work great hardship is the following:—A trader purchases goods, which, however, are not delivered until after he fails. If they are in transit, and the seller is fortunate enough to learn of the failure before the goods are delivered, he can, of course, stop the delivery, but if, as often happens, he is in ignorance of the failure for a day or two, the goods may be delivered even after the failure, and the sellor must then rank on the estate for the price of them, the goods becoming part of the insolvent's estate. This has always appeared to us a very unjust law, and whenever we have acted for debtors in such cases we have invariably advised them not to accept delivery of the goods, as we consider it nothing short of a moral fraud to do so under such circumstances. We think it would be a wise and just law which would provide for the return of the goods in such cases to the sellers.

We cannot conclude these suggestions without noting the points raised by a correspondent in these columns (*ante*, p. 94). Three points are mentioned by him, but we will only deal with the first of them, as we think the other two have been dealt with in the Government Bill—viz., by clause 35, sub-clause 4, paragraph (*b.*), and sub-clause 6, upon which we commented in their proper place. The first point, however, is one of some importance, and, though we do not agree with the proposal of "Prudens" to the full extent, we think the present law could very well be amended so as to do stricter justice between the creditors. "Prudens" suggests that, with regard to the admission of proofs of debts upon bankrupts' estates, all commissions on loans should be disallowed, and "there should be charged for all goods the lowest cash price, and allowed for all claims a fixed rate of interest—say simple interest at five per cent.—from the date of the loan or supply of goods, and disallow all extra interest." We should strongly object to any interference with the present law as to bargains between a debtor and his creditors such as is suggested by "Prudens," and we fail to see how any different law could be beneficially enacted to regulate such bargains in the event of the debtor subsequently becoming bankrupt. If this were done, we fear it might lead to debtors who may have made, or think they have made, improvident bargains becoming bankrupt for the purpose of getting out of the consequences of their own bargains, and the evil this would give rise to would, we think, be much greater than the fancied one raised by "Prudens." But we think that the latter part of rule 77 of the Bankruptcy Rules, 1870, might be amended so as to act more equitably. The latter part of that rule is as follows:—

"Any creditor may prove for a debt not payable when the bankrupt committed an act of bankruptcy, and be entitled to prove such debt as if the same was payable presently, and receive dividends equally with the other creditors, deducting only thereout a rebate of interest at the rate of five pounds per centum per annum, computed from the declaration of a dividend to the time when the debt would have become payable according to the terms upon which it was contracted."

We would suggest that in the case mentioned in the portion of the rule above quoted the rebate of interest should be computed from the date of the order of adjudication, instead of from the declaration of a dividend, and for the following reasons. Take a case of a debt payable by instalments extending over several years. It is clear that the present value of such a debt is very much less than the nominal amount. In the event of the debtor's estate being divided without delay, such a creditor would not of course be entitled to receive a dividend except upon the reduced amount after deducting a rebate of interest, but if the dividend, instead of being declared at once should be delayed for some time until such creditor's debt should have become due, then that creditor would obtain his dividend upon the full nominal amount of his debt, which obviously would reduce the amount of dividend to be paid to the other creditors. To reduce the point to figures let us suppose the following case:—A. becomes bankrupt, owing to the ordinary creditors £500, and also owing to B. £1,000, payable at the expiration of four years. His estate realizes after payment of all expenses £500 for division amongst his creditors. If divided forthwith it is clear that B. would have to deduct from his proof of £1,000 a rebate of four years' interest at five per cent., which would, we calculate, amount (in round figures) to £185. That deducted from £1,000 would leave £815 only on which B. would be entitled to rank for dividend, making the total claims on which dividend would have to be calculated £1,315. £500 would pay a dividend upon that sum of about 7s. 7¼d. in the pound. On the other hand, if the dividend were not declared until B.'s debt became due, the claims for dividend would amount to £1,500, on which £500 would pay a dividend of 6s. 8d. in the pound only, so that the other creditors would thereby be prejudiced to the extent of nearly 1s. in the pound. Now, why should a delay in declaring a dividend make such a difference in the relative positions and rights of the creditors? We think it is generally, and that it ought to be invariably, the policy of the bankruptcy law that the claims of the creditors should be fixed as at the date of the bankruptcy. For instance, a creditor in respect of a debt carrying interest cannot prove for interest beyond the date of the adjudication. Surely there is quite as much reason why such a creditor should be allowed to add interest to his debt up to the declaration of a dividend as there is for the present rule requiring a creditor whose debt is not due to deduct interest only from that time, instead of from the earlier date of the order of adjudication.

In concluding these papers, we have only further to say that if, in the remarks which we have had to make upon the Government proposals, we have appeared in any way hypercritical, our only object has been to aid, as far as lies in our power, in bringing about a satisfactory settlement of a question which has now engaged the attention of the legal and commercial world for so long, and which is one of the utmost importance to a commercial country such as ours. It appears to us that, in order to make any code of bankruptcy law work satisfactorily, more will depend upon a close attention to details than upon upon even the general principles which may be enacted. A clumsily-drawn Bill, however perfect the system which may be proposed by it, cannot help, but must prove a failure, on account of the uncertainty of the effect of its provision, which can only be settled by expensive litigation, and also on account of the numerous loopholes which it may afford to evade its most salutary provisions, whilst a less perfect system carefully worked out in all its details, will be more likely to give general satisfaction; and this must be our excuse for entering so minutely into the details of the Government proposals. It is the interest of all that an Act should now be passed which will settle the question for some time to come; and solicitors are as much concerned in the matter as any other class of the community. The vulgar prejudice which attributes to the profession a desire only to assist in legislation which will operate for the benefit of its members, irrespective of the public good, the profession can well afford to treat with the disdain it deserves, and, notwithstanding such calumny, join in assisting to bring about such a settlement as will enure to the benefit of all.

CORRESPONDENCE.

SHERIFFS' IRREGULARITIES.

[*To the Editor of the Solicitors' Journal.*]

Sir,—Referring to the publicity which Mr. W. J. Fraser and I have given to the grave conduct of certain sheriffs and their officers, will you allow me to say that we have convened a meeting of the profession for Thursday next, at five o'clock, in one of the rooms of the Law Institution? We think of inviting the sheriffs and under-sheriffs to hear what we have to say, for the time has come when we must no longer beat about the bush. FRANCIS K. MUNTON.

95A, Queen Victoria-street, E.C.

DELAYS IN THE CHANCERY CHAMBERS.

[*To the Editor of the Solicitors' Journal.*]

Sir,—Can nothing be done to remedy the delays in the chambers of the judges of the Chancery Division? My clerk has to-day applied for appointments to proceed on inquiries in two simple administration cases. The earliest appointments obtainable were respectively seven and eight weeks hence.

Such delay at this stage of a chancery action means that, however energetic counsel, solicitors, or the parties may be, the final determination of the case, quite apart from taxation of costs and division of the fund, must be deferred over the Long Vacation. A LONDON SOLICITOR.

In a recent address in memory of the late Mr. James D. Waddell, of Georgia, Judge Bleckley, according to the *Albany Law Journal*, said: "Viewed on the side of the affections, he embraced the legal profession thinking it was Rachel, and next morning, 'behold it was Leah!'"

At the Bristol Assizes, on Saturday, on the trial of a man for embezzling a sum of money, the judge expressed a strong opinion, in summing up, that the jury ought to acquit the prisoner. The jury, however, after some deliberation, said they could not agree. Lord Coleridge said he had told them what the law on the subject was; but the jury still hesitating, he added they must retire and consider their verdict, remarking, "It is the first time I have ever known a jury not to take the law from a judge." The jury were then locked up. After they had left the court, there being other similar indictments against the prisoner, his lordship stated that in them he should direct acquittals, on the authority of the case of *Reg.* v. *Negus*. After some time the jury were sent for, and, having said they were not agreed, were discharged without giving a verdict. His lordship said, "I discharge you earlier than I otherwise should have done in consequence of the most extraordinary message I suppose a judge ever received from a jury. It was that you wanted to look for yourselves at the law case on which I directed you. It will be time enough to do that when it is settled that juries may determine the law for themselves. Now I discharge you, and on the ground that you will not take the law to be as I have directed you that it is."

CASES OF THE WEEK.

WILL—EXECUTION—ATTESTATION—ACKNOWLEDGMENT OF SIGNATURE BY TESTATOR—WILLS ACT (7 WILL. 4 AND 1 VICT. C. 26), S. 9.—In a case of *Blake* v. *Blake*, before the Court of Appeal on the 14th inst., the question arose what is necessary to constitute an acknowledgment by a testator of his signature to his will in the presence of the attesting witnesses, such as to satisfy the requirements of section 9 of the Wills Act. The document propounded as the will of an alleged testatrix was signed by her, and was attested by two witnesses. The attestation clause stated that it had been signed by her in the presence of the attesting witnesses, but did not state that it had been declared or acknowledged by her in their presence. Upon the evidence Hannen, P., came to the conclusion that the testatrix had signed the document before the witnesses came into the room, and that what afterwards took place in their presence did not amount to a valid acknowledgment by the testatrix of her signature. The signature was covered over with a piece of blotting-paper, and the witnesses did not see it, and had no opportunity of seeing it. If there was an acknowledgment at all, it consisted in the testatrix telling the witnesses that the document was her will. The Court of Appeal (JESSEL, M.R., and BRETT and HOLKER, L.JJ.) took the same view of the evidence. But it was argued that there had been a valid acknowledgment of the signature, mainly on the authority of *Beckett* v. *Howe* (18 W. R. 75, L. R. 2 P. & D. 1), in which Lord Penzance, professing to follow the previous decision of Sir C. Cresswell in *Gwillim* v. *Gwillim* (3 S. & T. 200), said that, "if the testator produces a paper, and gives the witnesses to understand it is his will, and gets them to sign their names, that amounts to an acknowledgment of his signature, if the court is satisfied that the signature of the testator was on the will at the time. Whether that decision was right or wrong, I have not to determine. It was founded on other cases. Provided the testator acknowledges the paper to be his will, and his signature is there at the time, it is sufficient." The Court of Appeal, however, held that this was not a correct statement of the law. JESSEL, M.R., said that he agreed with the statement of the law contained in 1 Jarman on Wills (4th ed.), p. 108, "There is no sufficient acknowledgment unless the witnesses either saw or might have seen the signature, not even though the testator should expressly declare that the paper to be attested by them is his will," adding that, in his opinion, it would not be sufficient if the testator said, "My signature is inside the will," unless the witnesses had an opportunity of seeing the signature. He agreed with what was said by Dr. Lushington in *Hudson* v. *Parker* (1 Robertson, 25), "How is it possible that the witnesses should swear that any signature was acknowledged unless they saw it? They might swear that the testator said he acknowledged a signature, but they could not depose to the fact that there was an existing signature to be acknowledged. It is quite true that acknowledgment may be expressed in any words which will adequately convey that idea, if the signature be proved to have been then existent—it would be quite sufficient to say 'That is my will,' the signature being there and seen at the time, for such words do import an owning thereof." The argument in support of the proposition laid down in *Beckett* v. *Howe* was founded on the notion that a statement by a testator to the persons whom he asked to attest a document, that the document was his will, necessarily involved a statement that his signature was affixed to it. But that was not so, for, until the document had been attested, it was not a valid will. Till that had been done the document was only what he intended to be his will. He might intend to sign it after the statement, just as he intended it to be attested afterwards. The statement did not necessarily involve the fact of previous signature. Lord Penzance did not intend to lay down the proposition himself, but intended only to follow what he supposed to be the decision in *Gwillim* v. *Gwillim*. When, however, that case was looked at, the Master of the Rolls thought that Sir C. Cresswell did not intend to decide anything of the kind. In that case, if the signature of the testator was there at the time of the attestation, it was impossible, under the circumstances, that the witnesses should not have had an opportunity of seeing it, and the argument turned on the question whether the signature was or was not there at the time of the attestation. His lordship could not find a word in the judgment of Sir C. Cresswell to show that he thought that, if the witnesses could not possibly have seen the testator's signature, his saying to them, "This is my will," would be a sufficient acknowledgment. The supposed doctrine, therefore, rested entirely on the statement of Lord Penzance in *Beckett* v. *Howe* of the effect of the decision in *Gwillim* v. *Gwillim*, and it had really no foundation at all. BRETT, L.J., said that he agreed with the reasoning of Dr. Lushington in *Hudson* v. *Parker*. He thought that the witnesses must see, or be able to see, that there was a signature, and that the testator must say something to them equivalent to saying, "This is my signature." If they did not see the signature, or have an opportunity of seeing it, the testator's saying to them, "This is my will," or "My signature is there," would not be a sufficient acknowledgment. His lordship was of opinion that this conclusion involved a dissent from the views of both Sir C. Cresswell and Lord Penzance, for he thought that Sir C. Cresswell intended to decide in *Gwillim* v. *Gwillim* what Lord Penzance supposed that he had decided, and he felt the greatest difficulty in differing from two such eminent judges. But he was bound to act on his own view of the true construction of the statute, though, in so doing, he felt much more doubt of the propriety of his own decision than he did of the impropriety of the decisions of Sir C. Cresswell and Lord Penzance. HOLKER, L.J., said that the object of the statute was that the witnesses should be able to testify either to the signature of the document by the testator, or to the acknowledgment of the signature by him, and, apart from authority, good sense would seem to require that the acknowledgment should be an acknowledgment of something which was shown to them by the testator. —SOLICITORS, *W. H. Orchard; Lucas & Son.*

DIVORCE ACTION—COSTS OF WIFE—SECURITY GIVEN BY HUSBAND.—In a case of *McAlpin* v. *McAlpin*, before the Court of Appeal on the 13th inst., the question whether the costs of the wife in a divorce action ought to be in all cases absolutely limited to the amount of the security previously given by the husband, came again before the Court of Appeal. This was the old rule in the Divorce Court, and it was always acted upon before the decision of the Court of Appeal in the recent case of *Robertson* v. *Robertson* (29 W. R. 880, L. R. 6 P. D. 119). In that case it was held that there ought not to be any such absolute limitation, though the judge would have a discretion as to the amount of costs to be allowed to the wife in each particular case. In *McAlpin* v. *McAlpin* the action was tried before the decision of the Court of Appeal in *Robertson* v. *Robertson*, and Hannen, P., acted on the old rule, limiting the wife's costs to the amount of the security which had been given by the husband. After the decision in *Robertson* v. *Robertson* the matter was brought before him again, but he declined to alter his original order. The Court of Appeal (JESSEL, M.R., and BRETT and HOLKER, L.JJ.) held that he had not exercised any discretion, but had simply persisted in following the old rule, and they therefore gave the wife the whole of her taxed costs of the action.—SOLICITORS, *Surr, Gribble, & Co.*

WILL—CONSTRUCTION—CHARGE OF DEBTS ON REAL ESTATE—SALE BY EXECUTORS—RIGHT OF PURCHASER TO INQUIRE AS TO EXISTENCE OF DEBTS.—In a case of *Tanqueray-Willaume to Landau*, before the Court of Appeal on the 9th inst., the question arose whether a testator had, by his will, created a charge for the payment of his debts on his real estate, and there was the further question whether, on a sale of some of the real estate by the executors more than ten years after the testator's death, the purchaser was entitled to inquire whether any debts of the testator still remained unpaid. The testator appointed his wife and his son executrix and executor of his will, and he directed them to pay all his just debts, funeral and testamentary expenses, as soon as conveniently might be after his decease. And he gave and devised to them, trustees of his will, all his real estates, to hold the same unto them, their heirs and assigns, according to the natures and qualities thereof respectively. And he bequeathed to them all his personal estate (except such part or parts thereof as he had thereby specifically disposed of) unto them, their executors, administrators, and assigns, according to the natures and qualities thereof respectively. And the testator declared that his said real and personal estates were so devised and bequeathed upon the trusts thereinafter expressed concerning the same—viz., upon trust to pay the rents and the annual income thereof unto, or permit the same to be received and taken by, his wife during her life, and from and after her decease to raise and pay out of his said real and personal estates two legacies of £2,000 and £3,000 respectively. And, as to all the residue of his said real and personal estates, after the death of his wife, the testator gave, devised, and bequeathed the same unto his son, his heirs, executors, administrators, and assigns, according to the natures and qualities thereof respectively. Provided always that the testator's son should not be obliged to pay the two legacies at the end of twelve months from the date of the decease of the testator's wife, but should be at liberty to pay the same legacies, or either of them, with interest, at any time or times most convenient to himself within two years next after the decease of the testator's wife. The testator died on the 13th of May, 1871. On the 14th of June, 1881, the widow and the son, as executors and devisees in trust of the testator, put up for sale by auction some real estate of the testator. After the delivery of an abstract of title to the purchaser he took two objections: (1) that the testator's will did not create a charge of his debts on his real estate; (2) that, considering the length of time which had elapsed since the death of the testator, there was a presumption that his debts had been paid, and that, therefore, if there was a charge of debts, the purchaser was entitled to inquire, and the vendors were bound to answer, whether any debts of the testator still remained unpaid. The vendors relied on the will as creating a charge of debts, and declined to answer the inquiry as to the existence of debts. The purchaser took out a summons under the Vendor and Purchaser Act of 1874 to determine the matters in dispute. Kay, J. (25 SOLICITORS' JOURNAL, 875), was inclined to think, on the authority of the decision of Lord Hatherley when Vice-Chancellor in *Harris* v. *Watkins* (Kay, 438), that there was no charge of debts created by the will, because the executrix and executor took unequal beneficial interests in the real estate devised to them, and he, therefore, held that the title was too doubtful to be forced on a purchaser. He also intimated an opinion differing from that of Lord Romilly, M.R., in *Sabin* v. *Heape* (8 W. R. 120, 27 Beav. 553), in which it was held that, when an executor had an implied power to sell real estate for the payment of the testator's debts, he might sell twenty-six years after the testator's death, and refuse to answer the question whether there were any debts then existing or not. Kay, J., said that, of course, so long as that decision was not overruled, he was bound to follow it in a case exactly like it, though it seemed to him a little unreasonable that, in a case of that kind, after so long a lapse of time, the purchaser should not be allowed to ask the question. But it was not necessary for him to decide the point. JESSEL, M.R., said that the law as to what would create a charge of debts by will on real estate was fairly stated by Fry, J., in *Bailey* v. *Bailey* (L. R. 12 Ch. D. 268, 273) thus:—"I do not think that there is any conflict in the authorities. They appear to me to come to this—that where there is a direction that the executors shall pay the testator's debts, followed by a gift of all his real estate to them, either beneficially or on trust, all the debts will be payable out of all the estate so given to them. The same rule applies whether the executors take the whole beneficial interest, as in *Henvell* v. *Whitaker* (3 Russ. 343), or only a life interest, as in *Finch* v. *Hattersley* (3 Russ. 345n), or no beneficial interest at all, as in *Hartland* v. *Murrell* (27 Beav. 204)." That being so, the only questions were whether there was any direction to the executors to pay the testator's debts, and whether there was a devise of the real estate to them. In the present case, there being a devise of the legal estate to the executors, there was no distinction between a charge of debts, with the implied power of sale which followed from it, and a trust to sell for

the payment of debts. When there was a trust it was clear that a purchaser, when the death of the testator was recent, ought not to inquire whether there were any of his debts remaining unpaid, and the same thing applied to a charge of debts. A purchaser would be protected by a court of equity, and it was immaterial to him whether there were any debts or not. The next question was whether, on the construction of this particular will, the executors took the legal estate in the land, and his lordship was clearly of opinion that they did. It was, therefore, quite immaterial whether they also took a beneficial interest. There was a direction to the executors to pay the testator's debts, and his real estate was devised to them. That created a good charge of the debts on the real estate. Then the only question was whether, seeing it was ten years since the testator's death, the purchaser was entitled to ask whether any of his debts remained unpaid. In different cases the lapse of different periods of time after the death of a testator had been held sufficient to entitle a purchaser to inquire whether any of his debts were unpaid. His lordship thought it desirable that a general rule should be laid down which could be acted on in practice, and he was of opinion that it would be reasonable to fix twenty years after the testator's death as the limit, because that was the period of limitation for the recovery of specialty debts. Most owners of land owed mortgage debts, and when, after the expiration of twenty years from the death of a testator, the person beneficially entitled to his real estate was in possession of it, there was a presumption that his mortgage debts and all his specialty debts had been paid, and consequently that his executors had no power under a charge of debts to sell real estate for the payment of debts. But his lordship thought that the lapse of ten years was not enough to raise this presumption. He was of opinion that the vendors could make a good title. BRETT, L.J., thought that the time after which a purchaser would be entitled to ask whether any debts of the testator remained unpaid must be a considerable time after his death, and the question was, what must that time be? Unless there were some peculiar circumstances, he thought the question was best solved by saying that, as a general rule, the question should not be asked within twenty years after the testator's death; but that it might be prudent to ask it after the lapse of more than twenty years from the death of the testator. HOLKER, L.J., concurred.—SOLICITORS, *Parish, Daintrey, & Hickson; Murray, Hutchins, & Stirling.*

WILL—CONSTRUCTION—DEVISE ON CONDITION THAT DEVISEE RELINQUISH DEBT DUE TO HIM BY TESTATOR—DEATH OF DEVISEE BEFORE TESTATOR.—In a case of *Kirk* v. *Kirk*, before Fry, J., on the 11th inst., a question arose as to the effect of a devise of land, made on condition that the devisee should relinquish a debt due to him by the testator, the devisee having died before the testator. The testator devised some land to his son R., in fee, on the express condition that he, his executors or administrators, should, within three months after the death of the testator, give up all claim to a sum of £3,400 which the testator owed him. And the testator devised some other real estate to trustees on trust for sale, and to apply the proceeds of sale, after payment of the deficiency (if any) of his residuary personal estate to pay his debts (except a mortgage debt, and the debt due to R.), on trust for the testator's wife for her life, with remainder to some grandchildren of the testator. And he bequeathed the residue of his personal estate to the trustees on trust for conversion, and to apply the proceeds in payment of his debts (except the mortgage debt, and the debt due to R.), and to retain the surplus for the benefit of two sons of the testator. But, in case the residuary personal estate should be insufficient to pay his debts (except as aforesaid), he directed that the deficiency should be paid out of the proceeds of sale of the real estate which he had directed to be sold. R. died before the testator, leaving no issue. FRY, J., held that the testator's intention was that, in any event, his residuary personal estate should be increased by the £3,400, and that the land which he had devised to R. must, notwithstanding the death of R., be charged with the payment of the £3,400.—SOLICITORS, *W. R. A. Kime; G. A. Hall.*

The *Times* understands that only the first part of the Criminal Code Bill will be proceeded with during the present session. Mr. Hopwood, M.P., however, will move on the 8th of March the second reading of his Bill for the adoption of that part of the Criminal Code as framed by the Commissioners which relates to procedure in trials on indictment, &c., and to the creation of courts of appeal in criminal matters.

In the House of Commons, on the 10th inst., Mr. Gregory asked the President of the Board of Trade whether his attention had been called to the Railway Bills in the present session which proposed to repeal or alter section 92 of the Lands Clauses Consolidation Act, 1845, and what course he proposed to take with respect to the same; and whether he contemplated any terms being imposed upon the railway companies applying for further powers in the present session, in accordance with the recommendations of the Select Committee on Railways.—Mr. Chamberlain: My attention has been called to the Railway Bills of the present session, which propose to repeal or alter section 92 of the Lands Clauses Consolidation Act, 1845; but I do not think it necessary to take any action with regard to them, for I learn that the proposal is not a new one, that similar provisions have for many sessions past been inserted in a great number of Bills, and that the powers sought are carefully guarded by requiring the lands, buildings, or manufactories required to be taken to be described in the schedule, and then only a portion of them can be taken when, in the judgment of the jury, arbitrator, or other authority assessing the compensation, it is fair and reasonable to do so. With regard to the second question, I have to say that it is my intention to call the attention of the committees to whom Railway Bills of the session may be referred to the recommendations contained in the report of the Select Committee of last session with regard to the classification of goods.

LEGAL PROCEDURE.

THE following is the report of the Committee of the Incorporated Law Society appointed to consider the report of the Lord Chancellor's Legal Procedure Committee:—

To the President and Council of the Incorporated Law Society.

Law Institution, Chancery-lane, January 30.

Gentlemen,—The committee appointed at the special meeting of members of the Incorporated Law Society held at the Law Institution on the 18th of November, 1881, to consider the report of the Lord Chancellor's Legal Procedure Committee beg to report as follows:—

In conformity with a resolution passed at that meeting, your committee invited the secretaries of the provincial law societies to name any one or more of their members to join them, and the majority of those societies have expressed their desire to co-operate with the committee. In further compliance with the terms of the resolution appointing your committee, various opinions and suggestions from members of the profession, as well as resolutions passed by some of the provincial law societies, have been received and fully considered.

In dealing with the subject, your committee propose first to make some general remarks on the objects proposed, and the general scheme for effecting those objects recommended, by the Legal Procedure Committee, and then to consider *seriatim* the several resolutions in which the Legal Procedure Committee embodied their conclusions.

The Legal Procedure Committee were desired by the Lord Chancellor to meet "for the purpose of considering what changes might be expedient and practicable in the practice and procedure of the three divisions now forming the Queen's Bench Division of the High Court of Justice."

The report of the Legal Procedure Committee (hereinafter called the report) does not profess to deal exhaustively with the whole of the subject-matter referred to them, and is, in effect, confined to the consideration of London practice.

It may be gathered from the report that all the changes recommended have in view the more speedy and economical administration of justice, and your committee desire at once to express their entire sympathy with this object, and their conviction that in its attainment the interests of the public and of both branches of the profession coincide. While thus agreeing with the aim of the Legal Procedure Committee, your committee are not able, in all respects, to approve of the means proposed in their report for effecting it.

The recommendations of the report fall naturally into two divisions—(1) procedure up to trial; (2) procedure at and after trial. The first ten resolutions of the report are concerned with the former, the remaining sixteen with the latter; including, however, a general recommendation as to costs and uniformity of procedure in both divisions of the High Court.

An examination of the judicial statistics for 1879, instituted by the Legal Procedure Committee, brought out the remarkable result that of upwards of 59,000 actions commenced in that year, only 3·78 per cent. went to trial. In the opinion of your committee these statistics lead irresistibly to the conclusion that the existing procedure and practice, up to notice of trial, is satisfactory to the public, in that it enables the vast majority of cases to be settled without incurring any of the really heavy expenses which commence only with notice of trial. They consider that in this respect the existing system works well, and are not prepared to advocate any alteration of its leading features, except in the direction of rendering it still more efficacious for effecting settlement of actions in their early and comparatively inexpensive stages.

Your committee have arrived at a conclusion to some extent at variance with that of the Legal Procedure Committee. The latter are of opinion, it is true, that the writ in its present form is effective in bringing defendants to a settlement at a small cost, and that it is unadvisable to make any alteration by uniting with it a plaint or other statement of the plaintiff's cause of action, which would add to the expense of the first step in the litigation, and with this opinion your committee fully concur. But the Legal Procedure Committee recommend in their first ten resolutions considerable changes, which, if carried into effect, would materially affect the existing system. Your committee object more particularly, for reasons to be assigned, to the proposals to virtually abolish pleadings, to give an officer of the court an almost absolute control over the mode of conducting an action, and to restrict the right of discovery within very narrow limits. At the same time there are not a few improvements in detail comprised in these ten resolutions with which your committee agree.

To the remaining sixteen resolutions of the report, so far as they deal with trial and the subsequent procedure, your committee see little or no objection in principle, though on some points they differ from the resolutions, and, in some instances, they have to offer further suggestions.

With these preliminary observations your committee proceed to consider *seriatim* the resolutions of the report.

PLEADINGS.

Resolution of the L. P. C., No. 1:—The plaintiff shall on his writ indorse the notice of his claim in a manner similar to that in use in indorsed writs at present. The defendant shall within (say) ten days after appearance, give notice of any special defences such as fraud, the Statute of Limitations, payment, &c., after which the plaintiff shall give notice of any special matter by way of reply on which he intends to rely.

Resolution 3.—No pleadings shall be allowed unless by order of a judge.

[Resolution 2 is dealt with hereafter.]

Your committee have approached the subject of these resolutions with a

desire to see all unnecessary proceedings abolished, and the points at issue between litigants defined and decided in the speediest manner possible. They thoroughly recognize that the interests of the public and of the profession are the same—viz., to obtain a competent judicial decision at the least expense and in the shortest time possible. But, in the opinion of your committee, these objects will not be attained if suitors, on coming into court, find themselves in uncertainty or at variance as to the questions to be decided between them.

It is stated in the report that of the 59,659 actions commenced in 1879, in 15,372 judgment was signed for want of appearance, in 4,251 judgment was signed under order 14, and that in addition 16,967 resulted in judgment by default, and 20,804 were unaccounted for, and therefore presumably settled, or abandoned after some litigation. There are no records to show at what particular stages these 37,771 cases were settled, but it is certain that they were nearly all settled by solicitors without the intervention of the judges or officers of the court, and your committee, composed almost entirely of solicitors largely engaged in practice in the Queen's Bench Division, have no hesitation in asserting that very many of these cases were so settled after and in consequence of one of the parties having ascertained by means of the existing practice of pleadings, particulars, discovery, and interrogatories, the strength of his opponent's case. If these interlocutory proceedings were restricted as proposed, more cases would be set down for trial than at present, with the result of a most serious increase of expense to litigants. The really heavy costs of litigation are not incurred until notice of trial is given, when it becomes obligatory on the solicitors to get up evidence, prepare briefs, pay fees to counsel, and *subpœna* witnesses. The costs of an action, settled after appearance and before notice of trial, are, according to their experience, less than one-fourth of the costs of an action tried or settled after notice of trial.

In the county courts, where there are no pleadings, adjournments in any but the simplest cases frequently take place, in consequence of one party being unprepared with evidence on points unexpectedly raised by the other. In these county court cases, where the matter in dispute is local, the day of trial fixed, and the witnesses and advocates at hand, such adjournments involve little extra expense. It is impossible, however, to over-estimate the loss attendant on such adjournments in actions in the Queen's Bench Division, in which witnesses have often to come great distances, and wait many days for the trial, and further fees have to be paid to the counsel and solicitors engaged.

Assuming, however, the recommendation of the report to be adopted, what would be its practical operation?

It is true that the actual expense of drawing statements of claim and defence would be avoided in those cases in which pleadings were not allowed byt he judge; but that expense forms a very small proportion of the costs of an action.

On the other hand, one of the first applications after writ and appearance would be—not to a master for directions, but—to a judge who would be asked to determine whether pleadings are necessary or not. To enable him to decide this question, facts would have to be stated, possibly in the form of affidavits, and counsel might be employed to advise and appear before the judge. Much expense would thus be incurred which is now unknown, and which would far outweigh, in most cases, the bare saving of fees for drawing statements of claim and of defence.

If pleadings are, as a rule, abolished, and notice of special defence adopted, such notice would probably, in many cases, be tantamount to a pleading, whether in the form of the old technical pleading abolished by the Judicature Acts, or in the form of a modern statement of defence; in either case without diminishing the costs incurred in the earlier stages of the action.

Your committee are of opinion that a change of such importance in a system which, on the whole, has produced satisfactory results, may be attended with serious consequences, and, on the above grounds, they resolved that, "Pleadings are essential to define the real points at issue, and that the system of pleadings prescribed by the Judicature Act and Rules should be substantially adhered to."

A very small minority approved of the suggestion of the Legal Procedure Committee with reference to pleadings.

A proposition was supported by a considerable number, though less than a majority, of your committee that statements of claim and of defence (which in the spirit of the Judicature Acts should consist mainly of allegations of facts) should be verified on oath; and by some of your committee it was contended that there should be liberty for the opponent to orally cross-examine. It was urged that such a course would, in many instances, obviate the necessity either for discovery of documents upon affidavit, or for interrogatories, also that in a large number of cases the result would be to put a stop to any further contest.

Jurisdiction of Masters.

Resolution 2.—Every action shall be assigned to a particular master's list. At any time after the writ, appearance, and time for notice of defence, a summons (hereinafter called a summons for directions) may be taken out by either party before the master to whom the cause is assigned, for directions as to any one or more of the following matters:—Further particulars of writ, further particulars of defence or reply, statement of special case, venue, discovery (including interrogatories), commissions and examination of witnesses, mode of trial (including trial on motion for judgment and reference of cause), and any other matter or proceeding in the action previous to trial.

Resolution 4.—The existing practice of requiring a separate summons for each separate matter shall be discontinued; and upon any summons by either party it shall be competent for the judge or master to make any order which may seem just at the instance of the other parties.

Resolution 5.—Any application which might have been made upon the summons for directions shall, if granted upon any subsequent application, be granted at the cost of the party so subsequently applying, unless the master or judge otherwise direct.

In considering whether every action should be assigned to a separate master's list your committee perused the memorandum drawn up by the masters in reference to the recommendation of the report to that effect; and, after much discussion, agreed with the recommendation.

Your committee are aware that the adoption of the recommendation must necessarily involve a considerable change in the existing arrangements of the masters' office; and your committee accordingly passed the following resolution:—"That every action should be assigned to a particular master's list, and that work in chambers should be so re-arranged as to provide for designating masters to whom actions should be assigned, and for such masters sitting daily in chambers to hear applications in respect of the matters so assigned to them."

As indicating some of the changes which your committee think it desirable to introduce into the conduct of business in the Central Office, they make the following suggestions:—

(*a*) "That the work in the masters' offices might, with advantage, be re-arranged, and that it is desirable that a system be adopted, whereby the regular attendance of the masters in chambers may be secured, for which purpose the committee suggest that the duties of hearing summonses, taxing bills, and attending in court, should be performed by distinct sets of officials."

(*b*) "That arrangements be made whereby the evidence of witnesses going abroad may be taken before the masters, so as to avoid the expense of special examiners."

(*c*) "That in all cases heard before the master or judge, in which counsel appear on one side, and the solicitor or his managing clerk on the other, the minimum allowance to the solicitor for attending shall be one guinea."

(*d*) "That all affidavits shall be filed, and office copies obtained before they are used. That such office copies shall be used in place of all original affidavits. That there shall be a separate room in the Central Office, where affidavits may be filed, and where copies of the affidavits made by the solicitor filing the same may be, there and then, marked as office copies. That the costs of attending to file the affidavits, and obtaining office copies, and of such copies shall be allowed as costs in the cause, unless otherwise ordered."

(*e*) "That as the practice pursued at the Central Office as to payment into court is unnecessarily inconvenient and troublesome in cases where money is ordered to be paid into court to abide the event, the same to be paid into the Branch Bank of England in the Central Office on a simple request of the solicitor, who shall, in exchange, receive a stamped receipt from the bank, which shall be evidence of the payment in; the bank to send up to the office where money is now paid out of court a daily return of all payments in."

(*f*) "That in all cases of payment on notice or statement of defence, or other pleading in satisfaction of the cause of action, it shall not be necessary to pay the same into court, but the payment shall be made direct to the plaintiff's solicitor without the necessity of obtaining the plaintiff's written authority."

(*g*) "All payments out of court shall be made to the solicitors for the party entitled to the money without requiring his client's written authority."

It hardly appears to your committee necessary to give reasons in support of the previous suggestions, which are intended to facilitate the transaction of business in the masters' offices. The arrangements suggested as to filing affidavits are to meet the occurrence, now very frequent, of the loss of original affidavits. The suggestions as to payment of money into and out of court are to facilitate business, and to put an end to the absurdity of the existing system of payment of money into or out of court, illustrated by the fact that, without any written authority from the plaintiff, his solicitor may receive and give a legal discharge to the defendant for the amount, however large, recovered in the action; whilst, if only one shilling is paid into court, the solicitor must obtain the written authority of his client, and sometimes get such authority verified by affidavit, before the money can be obtained. A precedent for the payment direct to the solicitor is the dispensing in the Conveyancing Act with any written authority from the client to the solicitor to receive purchase-money.

Summons for Directions.

With respect to the summons for directions, your commitee are unanimously of opinion that they cannot concur in the recommendation of the report, for the following (among other) reasons:—

First. The effect of such a procedure would be to deprive the suitor of the right of conducting his case as he thinks most conducive to his own interest. This right your committee consider he ought to retain, and they would point out that the proposal to transfer to an official the control over the working and details of an action, now exercised by the parties and their advisers, is, they conceive, directly opposed to the tendency of the alterations in procedure during the last fifty years, and to the principles of the Judicature Acts. It would further have the effect of throwing a far too difficult, if not an impracticable, task on the master, and of placing him in an anomalous position.

Secondly. If, as the committee understand, it is the intention or hope of the Legal Procedure Committee that, on the summons for directions, a general scheme for the conduct of future proceedings in the action is to be settled, every solicitor in an action must be prepared then and there to state accurately and exhaustively the line he is desirous of pursuing. It would be in the opinion of your committee impracticable to forecast, to this extent, the course of proceedings; and a slip on the part of the solicitor, or a mistake on the part of the master, might lead to serious and unforeseen consequences.

Thirdly. There would probably in many cases, after a lengthened discussion before the master, be an appeal to the judge, in which counsel, with all the attendant expense, would be employed, so that by the time the order was finally settled, the costs would far exceed those under the present practice.

These latter reasons are principally based on the assumption that the summons for directions is intended to be disposed of on one application. Your committee are not certain whether the Legal Procedure Committee intended the summons to be disposed of on one application, or to be set down from time to time to dispose of the several steps in the action as they arise. Whichever course is intended, your committee apprehend that it will fail to secure its

object; and they consider the objection to giving an official of the court the control over each step in the action to be insuperable.

Your committee approve the fourth resolution, but its wording appears to them too wide, and they passed the following resolution with the view of expressing that the order to be made by the judge or master should not extend beyond the subject-matter of the summons:—"That the existing practice of requiring a separate summons for each separate matter should not be compulsory, and upon any summons by either party it should be competent for the judge or master to make any order which may seem just, at the instance of either party, in relation to the subject-matter of the summons."

A considerable minority of your committee was of opinion that summonses might be advantageously abolished, and that applications in chambers should be made upon written notices between the solicitors, and that appropriate arrangements should be made in chambers for hearing such applications in specified order.

Discovery.

Resolution 6.—Discovery and interrogatories shall be limited to such discovery of documents or facts relating to any part of the matter in dispute as the master shall order. The costs, unless otherwise ordered, shall be borne in the first instance by the party asking for discovery or interrogatories, and shall be allowed as part of his costs of suit, where, and where only, such discovery or interrogatories shall appear to have been reasonably and usefully asked for.

Your committee have carefully considered the remarks made in the report under this head, and are unable to agree with the resolution as a whole.

The existing practice as to discovery and interrogatories frequently brings to light documents and facts which would not otherwise be obtained from the opponent before trial, and in the opinion of your committee an early settlement of litigation frequently results from the exercise of this right. Your committee are therefore of opinion that the right to discovery should be unrestricted, and they object to the proposed control over it of the master. They consider that such control is unnecessary, and would unreasonably curtail the right of litigants to conduct their cases as may appear most conducive to their interests.

At the same time, your committee share the desire expressed in the report to check, as far as possible, an abuse of the right to discovery; and they adopt the suggestion that the cost of answering interrogatories, as well as of giving discovery, shall be paid by the party requiring the same, to be allowed as costs of the action when such costs are reasonably incurred.

It appears to your committee that this condition will, with some minor modifications of existing practice, satisfactorily regulate a mode of procedure which, together with pleadings, they consider most conducive to the speedy settlement of actions.

Your committee have embodied these views in the two following resolutions in lieu of Resolution No. 6 of the report:—"That it is desirable that each party to an action should be entitled, as of right, to deliver interrogatories to, and have the discovery of documents from, the other party, subject, in the case of interrogatories, to an application to a master to strike out questions on the same grounds as at present; but that in order to check any abuse of such a rule, and unnecessary expense, the following course should be adopted. Either party should be at liberty, after statement of defence, to administer interrogatories, and also without any summons and order for discovery, either party should be bound, if so required by the other party within ten days after statement of defence, to deliver an affidavit of documents; but such discovery should be limited to such points relating to the matters in question in the action as should by notice be required. That the costs consequent on interrogatories, and of discovery, unless otherwise ordered, should be borne in the first instance by the party asking for discovery, and should be paid by him to the other party, unless payment into court be directed; and such costs should be allowed as costs in the cause where, and where only, such discovery and interrogatories should appear to have been reasonably asked for."

Notice to Admit Specific Facts.

Resolution 7.—The recommendation of the first report of the Judicature Commission (p. 14), with reference to parties being required to admit specific facts, ought to be carried into effect—viz., if it be made to appear to the judge, at or after the trial of any case, that one of the parties was, a reasonable time before the trial, required in writing to admit any specific fact, and without reasonable cause refused to do so, the judge should either disallow to such party or order him to pay (as the case may be) the costs incurred in consequence of such refusal.

The committee agree with Resolution No. 7, believing that, if adopted, it would in many cases save expense.

With the view of diminishing the expense of formally proving official documents, your committee resolved:—"That an official certificate of the registration of memoranda and articles of joint stock companies, bills of sales, judgments, *lites pendentes*, bankruptcy proceedings, enrolled or registered deeds, and other documents in the care or custody of public officers, should be proof of the due registration of such documents."

And as your committee are of opinion that rule 1 of order 37 of the Judicature Act relating to evidence by affidavit has not sufficiently attained the result desired of taking evidence partly by affidavit, they resolved:—"That in order to avoid unnecessary expense where oral evidence is to be taken at the trial, the parties to the action, whether acting in their own right, or on behalf of others, should be at liberty to agree that any portion of the evidence should be taken upon affidavit only."

Appeals from Chambers.

Resolution 8.—The appeal from a master shall be to a judge in chambers.

Resolution 9.—The appeal from a decision of a judge in chambers shall be to the court *in Banco*; such appeal shall only take place, in cases of special difficulty and importance, when allowed by the judge giving the decision, or with special leave of such court.

Resolution 10.—The resolution as to limiting appeals from a judge in chambers shall apply to matters of procedure and practice only.

Your committee agree that appeals from a master should be to a judge in chambers; but they think that Resolution No. 8 does not go far enough, and accordingly they passed the following resolution:—"That the appeal from a master should be to a judge in chambers by reference to him of the original summons, without the necessity of issuing a fresh summons, the master to indorse on the summons his decision, and shortly his reasons for the same."

Your committee being of opinion, for the reasons hereinafter stated, that the court *in Banco* can with advantage be abolished, think that an appeal from a judge in chambers should be to the Court of Appeal; but, having regard to Resolution No. 10, with which they agree, they see no necessity for limiting the appeal to cases of special difficulty and importance, and they passed the following resolution:—"That the appeal from the judge in chambers should be to the Court of Appeal, but in regard to matters of procedure and practice, only with the leave of the judge appealed from, or of that court; and a defendant should not, without the like leave, be allowed to appeal against an order giving him conditional leave to defend."

Judgment Debtors' Summonses.

Resolution 11.—In debtors' summonses the jurisdiction of a judge at chambers shall be transferred to the Court of Bankruptcy in London.

With respect to this resolution, your committee recommend that the jurisdiction should be transferred to the Court of Bankruptcy generally, and not to the London court only; and they also desire to call attention to the present unreasonable burden thrown on a judgment creditor, in having to prove that the debtor can pay, before the judgment can be enforced by committal. They think that the *onus* of proof of inability to pay should be on the debtor, and accordingly passed the following resolution:—"That in judgment debtors' summonses the jurisdiction of the judge at chambers should be transferred to the Court of Bankruptcy. That a uniform procedure in all courts should be adopted as to judgment summonses, casting the *onus* of proof of want of means on the judgment debtor."

Mode of Trial.

Resolution 12.—The mode of trial shall be by a judge without a jury; but, on the summons for directions, on the application of either party, an order shall be made that the cause be tried by a jury, if it shall appear that the questions involved can conveniently be so tried: Provided always that in the following cases the right of either party to a trial by jury shall be absolute—libel, slander, seduction, false imprisonment, malicious prosecution, breach of promise of marriage.

Your committee have now to deal with the remaining resolutions of the report, which relate to procedure at and after trial, and to costs.

Much discussion took place on the subject of Resolution No. 12; but, as your committee were unable to agree, either with the resolution, or with any amendments dealing with the entire subject, it was decided to treat the resolution as divided into two branches; and accordingly the following resolution was passed:—"That the ordinary mode of trial should be by a judge without a jury."

The remainder of the resolution as it stands in the report was evidently framed in conformity with, and on the basis of, the proposed summons for directions, which your committee found themselves unable to accept.

Your committee are of opinion that, after issue joined, an application should be made to a judge to settle the issues, in a manner analogous to the practice of the Scotch courts, and also to give directions as to the mode of trial. The practice of settling issues narrows the questions actually disputed, thus saving the expense of bringing witnesses to prove facts which, on the opening of the case, are either practically admitted, or abandoned. The settlement of issues would, indeed, often result in settling the action.

Your committee agree with the Legal Procedure Committee in their desire to prevent actions being taken down to trial and then referred, and they think that the resolution on that subject contained in the report, with the modifications now suggested, will, to a great extent, obviate this scandal.

The views of your committee are expressed in the following resolution:—"Whilst approving of the suggestion that the ordinary mode of trial should be by a judge without a jury, the committee recommend that, after issue joined, application should be made to a judge in chambers to settle the issues of law and fact, and for directions as to the mode of trial, or other disposal of the action; and that the action should be tried or disposed of in the manner so directed: Provided that in the following cases the right of either party to a trial by jury shall be absolute—libel, slander, seduction, false imprisonment, malicious prosecution, breach of promise of marriage, and assault. Either party to be at liberty to appeal against any order made on such application."

Shorthand Writers' Notes.

Resolution 13.—Official shorthand writers, one or more, shall be appointed to attend in each court; a note of so much of the evidence, and of such proceedings as the court or judge shall direct, shall be taken in every case; the expense of taking such note shall be borne by the parties, as shall be directed; and the court or judge shall have power to direct that such notes or any part thereof shall be transcribed, and to make such order as to payment by the parties as shall be deemed just.

Your committee agree that an accurate note of the evidence and proceedings should be taken; but cannot adopt the recommendation that shorthand writers should be made officers of the court. It appears to your committee that official shorthand writers, at a fixed salary, could scarcely be trusted to execute the work of transcription with the expedition frequently required—say for the use of counsel on the following morning—and that in this respect the present state of things should not be altered. At the same time they

think that the shorthand writers employed in court should possess a recognized *status*, and be furnished with proper certificates of competency.

In the opinion of your committee a note should be taken in all cases, but the propriety of taking a transcript and making copies should be left to the taxing master.

But your committee wish it to be distinctly understood that, in their opinion, it is to the advantage of the suitors that the judges should continue to take notes of the evidence as at present.

The following resolution was accordingly passed by your committee:—"That whilst approving of an accurate shorthand note being taken of the proceedings at the trial of actions, this committee is of opinion that it is undesirable to appoint officials for that purpose, but that it is expedient that a body of shorthand writers should be constituted who should possess a recognized *status* in the courts of justice. The master to allow the cost of the note, but that of the transcript, and copies of such transcript, to be in his discretion."

Cause Lists.

Resolution 16.—The lists of causes to be tried by juries, and by judges alone without juries, shall be kept separate.

Your committee concur in this recommendation, with the addition contained in the following resolution; the adoption of which would, as they believe, merely render permanent an arrangement which has been already tried as an experiment by the Lord Chief Justice, and, as they understand, with success:—"That the list of causes to be tried should be divided into special juries, common juries, and causes without a jury, and that separate courts should sit for each class of cases."

Official Referees.

Resolution 17.—On the assumption that the procedure by way of official referees is to be continued, the referees shall have power to sit in open court, and to deal with the whole cause, unless by the order of reference it is otherwise provided.

With reference to this resolution your committee are of opinion that the duties of the masters, in references, should be transferred to official referees. The masters would thus be relieved of a considerable portion of their present duties, and would have time to dispose of other matters requiring their attention.

There appears to be, in some quarters, a desire to abolish the office of the official referee. Your committee believe the office and functions of official referees to be highly useful, and capable of a wider application than they have yet received; and your committee would strongly deprecate the abolition of the office. The views of your committee are expressed in the following resolutions:—"That this committee is of opinion that the general scheme of appointing official referees as contained in the Judicature Acts is a valuable one, and that such appointments should be continued, and with such additions to the number and alterations in the powers and duties of the referees as may be necessary to entitle that tribunal to the confidence of the public and the profession." "That the committee are of opinion that official referees (whose number should be increased as occasion may require) should have the same power as a judge to deal with the whole cause, subject to appeal. The jurisdiction of the masters, as arbitrators, to be transferred to such official referees."

Motions and New Trials.

Resolution 14.—All applications for a new trial shall be by notice of motion, stating the grounds of application to the court. Such application shall be disposed of on the motion, without any rule *nisi*.

Resolution 15.—The preceding recommendation shall apply also to motions by way of appeal from inferior courts, applications to set aside awards, for attachments, *mandamus*, *quo warranto*, *scire facias*, to answer the matters of an affidavit, to strike off the rolls, for criminal information.

Resolution 18.—After the trial of any cause before a judge and jury, the judge may, upon application, certify that he is dissatisfied with the verdict, in which case a new trial shall take place, unless the court shall otherwise order.

Resolution 19.—Neither party shall have a right to a new trial on the ground that some question has not been left to the jury which the judge at the trial has not been asked to leave to the jury. The court shall have power in such cases either to direct a new trial or, with the view of saving a further trial, to draw all inferences of fact or to take further evidence, or direct inquiry.

Your committee fully indorse the remarks in the report as to motions for new trials, and other *ex parte* motions, and agree generally with the resolutions on this subject. Your committee are, however, of opinion that the latter part of Resolution No. 19 should be added to Resolution No. 14, and the first part of Resolution No. 19 omitted altogether. They do not think that the right to apply for a new trial should be limited in the manner suggested by the first part of Resolution No. 19; while they consider that the court should have power to draw inferences of fact, or take further evidence, or direct inquiry on an application for a new trial on whatever grounds, including applications in jury cases. Your committee passed the following resolution, which includes Resolutions Nos. 14, 19, and 22 of the report:—"All applications for a new trial should be to the Court of Appeal, by notice of motion stating the grounds of application. Such applications should be disposed of, on the motion, without any rule *nisi*. And upon such motion the court should have power either to direct a new trial, or, with the view of avoiding it, to draw inferences of fact, take further evidence, and direct inquiry."

Your committee accept No. 15 in its entirety, on the understanding that the motions and applications to which it refers be heard by a single judge.

Being of opinion that no new trial should be allowed except by order of the Court of Appeal, your committee cannot agree with No 18.

Appeals.

Resolution 21.—All appeals from a judge without jury shall be to the Court of Appeal; and also where a judge directed a verdict for the plaintiff or defendant; and the Court of Appeal shall thereupon have power to dispose of the whole case.

Resolution 22.—All applications for a new trial in jury causes shall go to a court *in Banco*, consisting of three judges (of whom the judge who tried the case shall not be one): the decision of the court shall be final except with their leave, or in case of difference of opinion, or where the subject-matter of appeal exceeds £500.

Resolution 23.—All appeals from the court *in Banco* shall be to a Court of Appeal of not less than five judges.

Your committee concur in Resolution No. 21 as most useful, and trust that it will be adopted.

Your committee have carefully considered the remarks in the report under the heading of appeals, and much discussion took place on them, especially in regard to court *in Banco*, and its duties as there defined.

Your committee are of opinion that the matters now referred to such court can satisfactorily be dealt with by a single judge, and that the court itself may be abolished. An opinion is expressed in the report that on grounds of public policy, applications in such matters as *habeas corpus*, *quo warranto*, *mandamus*, and criminal informations should be submitted, in the first instance, to the judgment of a court composed of more than one judge. In this view your committee cannot concur; nor is any argument adduced in its support, save that the judgment of a single judge would be of less weight and authority, and would invite and multiply appeals. But your committee cannot see any sufficient distinction between the class of cases above alluded to and numerous other cases of equal importance which are satisfactorily disposed of by a single judge in the Chancery Division to justify the maintenance of the proposed court *in Banco*. Further, your committee feel bound to record their objection to the proposal to give an appeal, in certain instances, from the court *in Banco* to the Court of Appeal. Your committee are unable to appreciate the force of the reasoning in support of this recommendation (No. 23). It appears to them to be as unsatisfactory for three judges to overrule the opinions of five, as it is for two judges to overrule the opinions of four; and, on the whole, the recommendations of the report in this respect would, in the opinion of your committee, tend to revive some of the anomalies justly complained of under the old system of appeals to the Court of Exchequer Chamber.

The committee accordingly passed the two following resolutions in reference to Resolutions Nos. 22 and 23:—"That the sittings of the court *in Banco* should be abolished, and that all matters, now assigned to that court, should be heard before a single judge." "That all applications for new trials, and appeals from orders under Resolution No. 15, should be made to the Court of Appeal."

Appeals from Arbitrators and Official Referees.

Resolution 24.—Where a compulsory arbitration has been ordered, an appeal from the decision of the arbitrator shall be allowed on a question of law to the court *in Banco*, whose decision shall be final except with their leave, or in case of difference of opinion, or when the subject-matter of appeal exceeds £500.

The committee think that the proposed change should apply to voluntary, as well as compulsory, arbitrations. They are, however, of opinion that there should be a right of appeal, both on questions of law and fact, in every case of compulsory arbitration. In coming to this conclusion they have been influenced by the consideration that the amounts involved are frequently very considerable, and that the parties would have had such a right of appeal if the action had been tried out in court. They accordingly passed the following resolutions:—"That there should be a right of appeal from arbitrators and from official referees to a judge under the following conditions:—In references by agreement such appeal should be on a question of law." "In compulsory references the appeal should be on questions either of law or fact." "The appeal from a judge should be to the Court of Appeal." "That appeals to the Court of Appeal on questions of fact should be by leave only."

Costs.

Resolution 20.—When the amount recovered in an action for a mere money demand, or for damages only, is less than £200, the plaintiff's costs shall be taxed on a lower scale, to be fixed by rules and orders, and the same scale shall be applied to the defendant's costs where the plaintiff's claim is under £200. Where the subject-matter of the appeal is less than £200, there shall be no appeal from any final judgment of the judge without leave. Neither party shall be entitled to have such actions tried by special jury. But a judge shall have power, either before or after trial, to order that any or all of these provisions shall not be applicable to any action in which a larger amount is indirectly involved, or to which, for good cause shown, he shall consider that they, or any of them, ought not to apply.

Resolution 25.—There shall be a uniform scale and system of costs in contentious business in all the divisions of the High Court.

Resolution 26.—These recommendations shall extend to all business which is not assigned by the Judicature Acts to a division other than the Queen's Bench Division; and there shall be, as far as practicable, a uniform system of procedure in all the divisions, so that there shall be no inducement to bring actions, not specially assigned, in one division rather than in another.

Your committee have first to observe, on these resolutions, that in actions settled before trial, the costs previous to notice of trial do not, as a rule, amount to more than 25 per cent. of the costs of actions tried out. Out of the 59,659 actions commenced in the Queen's Bench Division in the year 1879, only 2,265 were tried. The great majority of the cases settled without trial were undoubtedly settled before notice of trial, and if the recommendations contained in this report are adopted, your committee

believe that this will be the case to an even greater extent. In actions so settled the costs are not as a rule disproportionate to the subject-matter of dispute.

In the opinion of your committee, the only proper, and indeed the only effectual, way to lessen expense is to lessen the amount of work to be done, not to lessen the remuneration for work that must necessarily be done. The recommendations contained in this report, if adopted, will substantially lessen the work to be done in actions tried, in respect of which, chiefly, the complaint of excessive cost is made. On the other hand, the arbitrary lessening of remuneration for necessary work would, your committee apprehend, tend to throw the work, to which the lower scale of costs is made applicable, into the hands of an inferior class of practitioners; a result which could not fail to be injurious to the interests of litigants.

With respect to Resolution No. 20, your committee understand that it is principally intended to deal with purely monetary actions, and not to prescribe a lower scale of costs in actions in which questions, other than the pecuniary amount of the verdict, are really at stake.

On this assumption your committee observe that in actions for debt applications under order 14 are generally made, and where such applications are refused the defendant has a substantial defence which compels the plaintiff to go to trial, and if the plaintiff is so compelled your committee think there ought not to be a lower scale of costs. They are also of opinion that, in actions of tort, or for unliquidated damages, a lower scale of costs is not fairly applicable.

Your committee therefore recommend:—"That having regard to the facilities given for obtaining speedy judgment under order 14 in all monetary actions, and to the fact that in those actions in which such application does not succeed, the defendant shows that he has a substantial defence, and compels the plaintiff to proceed with his action, it is undesirable that a lower scale of costs than that which now exists should be adopted."

With reference generally to the subject of costs, your committee beg to call attention to the system of taxation of costs on what is known as the "party and party" principle.

Three distinct modes of taxation now prevail—(1) as between party and party; (2) as between solicitor and client in cases in which such costs are paid by a third party, or out of a fund in court; and (3) as between a solicitor and his own client in cases where the latter, being dissatisfied with his solicitor's bill, taxes it.

The successful litigant in any ordinary action in the Queen's Bench Division is entitled to costs only on the first principle, which means that his claim to costs is limited to such as he has incurred in putting the machinery of the court in motion, and does not include costs which may have been incurred *bona fide*, and in successful efforts on his behalf. It may be stated, without fear of contradiction, that scarcely a bill is taxed on this principle which does not involve great hardship on the successful litigant, to the extent, sometimes, of making him in the end a loser by his successful litigation. This your committee consider should no longer be allowed to continue. They feel, most strongly, that a successful litigant should always be entitled to have his costs taxed on the second principle, which will, in most cases, at all events give him the costs which he has fairly and honestly incurred; and accordingly they passed the following resolution:—"That the costs to be allowed to the successful litigant, and payable by his opponent, should, in all cases, include such costs as have been reasonably and properly incurred as between solicitor and client on the principle of taxation where a third party has to pay them."

In connection with the payment of costs by third parties, your committee, in order to provide against the hardship which arises under the present system in cases where a third party is brought into an action under order 16, rule 18, and with a view to secure to the defendant the same immunity in respect of costs as the law gives him in respect of damages, passed the following resolution:—"That when a third party is joined to an action under order 16, rule 18, and he appears, and is at the trial held, to be the party liable, the judge shall have power to direct the payment by him of the costs incurred by the original defendant in the action."

Your committee cannot concur in the opinion, expressed at page 8 of the report, that it is desirable to give the master more power over the costs "of the cause" than he now has. The Judicature Acts give the judges absolute discretionary jurisdiction over costs in an action. Your committee think that this is the right principle, and that this jurisdiction should continue to be exercised by the judge who tries the action, and not be relegated to a taxing master to be exercised after the trial. The jurisdiction, it is admitted, cannot be exercised in matters of detail; but on matters of principle, such as refusal to admit facts, raising and contesting unnecessary issues, and insisting on unnecessary interrogatories and discovery, the committee think that the judges are the best tribunal, and that only the details should be left to the master to settle.

Passing to Resolution 26, your committee observe that while nearly 60,000 writs were issued in the year 1879 in the Queen's Bench Division where the lower scale of costs prevails, only 4,000 were issued in the Chancery Division where the higher scale prevails. These statistics do not bear out the statement that the practice exists of issuing writs in the Chancery Division for the sake of obtaining increased costs. Nor is the practical experience of your committee in accordance with this statement. Your committee are of opinion that a plaintiff ought not to be debarred from bringing his action in the division which he thinks best adapted to afford the remedy he seeks. They further consider the difference between the subject-matter of the litigation in the two divisions of the High Court of Justice to be so great, that the mode of procedure in the two divisions must be different, and that a separate scale of costs for the two divisions ought to be maintained. They cannot, therefore, adopt Resolutions Nos. 25 and 26.

If, however, a higher and lower scale be retained, your committee think that a plaintiff who proceeds on the higher scale ought to pay a successful defendant's costs on that scale, irrespective of the amount in dispute.

Since dealing with the subjects mentioned in this report, your committee have received numerous suggestions on other matters, more or less germane to the procedure in actions in the Queen's Bench Division, but they have considered it better to confine this report to the matters dealt with by the Legal Procedure Committee, with three additions relating to (1) extension of proceedings under order 14 to actions of ejectment; (2) writs under the Bills of Exchange Act; and (3) the Long Vacation.

(1.) *Extension of Proceedings under order* 14, *rule* 1, *to Action of Ejectment.*—Your committee having regard to the great delay that frequently takes place in the trial of actions of ejectment to which the defendant has really no defence, and to the great hardship on plaintiffs in being kept out of possession of property to which they are really entitled, by tenants, mortgagors, and others frequently insolvent, are of opinion that the provisions of this order should be extended to actions of ejectment, and resolved as follows:—"That the provisions of order 14, rule 1, should be extended to actions for the recovery of land."

(2.) *Writs under the Bills of Exchange Act.*—Your committee think that the procedure under this Act should be re-established, and that where a defendant has signed a bill of exchange or promissory note agreeing to pay a certain sum at a certain time, the *onus* of proving that he is liable to do so should not be cast on the plaintiffs as it is by the present practice. They accordingly resolved:—"That rule 3 of the Rules of the Supreme Court of Appeal, 1880, by which the practice under the Summary Procedure on Bills of Exchange Act (18 & 19 Vict. c. 67) is abolished should be annulled, and the practice under that Act should be re-established. And that the number of days in which judgment may be obtained should be reduced from twelve to eight days; order 16, rule 10, being made to apply to writs issued under the Summary Procedure or Bills of Exchange Act."

(3.) *The Long Vacation.*—The report of the Legal Procedure Committee does not deal with the subject of the Long Vacation, but as it has been prominently mentioned since the report was made public, your committee desire to express their opinion on the subject; and they accordingly passed the following resolution:—"That the interests of suitors call for a reduction of the Long Vacation."

The results which your committee have desired to promote may be summarized as follows:—

1. To diminish the expense of litigation by giving every facility for settling actions during the comparatively inexpensive stage, and to diminish the number of steps to be taken and the work to be done during the later and more expensive stages.

2. To give the parties increased facilities for ascertaining the exact issues between them, and eliciting, as far as possible, the evidence on which they rely, by means of interlocutory proceedings conducted on the responsibility of the parties, and their advisers, before the really expensive proceedings in an action are commenced, and thus to increase still more the large proportion of actions settled before trial.

3. To provide for the better administration of business by the suggested improvements in the masters' office, the preparation of cause lists, debtors' summonses, and other details of procedure, and by providing that all matters shall be disposed of, in the first instance, by a single judge.

4. To increase the number of actions disposed of summarily by reviving the practice under the Bills of Exchange Act, and by extending order 14 to actions for the recovery of land.

5. In the cases that are tried out, to diminish the uncertainty, delay, and expense of litigation, by having the issues settled and the mode of trial determined on before notice of trial is given, by the recommendations as to admissions of facts, written evidence, and proof of formal documents, by having actions as a rule tried by a judge without a jury, and by putting an end to the practice of referring actions at the time of trial, thus saving double fees to solicitors, counsel, and witnesses.

6. In those cases in which litigants are not satisfied with the decision of a court of first instance, to diminish the costs of appeal by abolishing rules *nisi*, and all intermediate appeals; and to diminish the frequency of new trials by the recommendations enabling the Court of Appeal to finally decide the action, instead of directing a new trial.

7. To give the successful suitor all the costs he has properly incurred in establishing a claim proved to be just, or withstanding one proved to be unjust.

In concluding their report, your committee desire to express their confident expectation that the changes herein adopted or recommended will, if carried into effect, render the administration of justice in the Queen's Bench Division more speedy, less costly, and generally more satisfactory than it has hitherto been.

We have the honour to be,
Your obedient servants,
Signed on behalf of the Committee,
GEO. A. CROWDER, *Chairman.*

NOTE.—This report is signed by the chairman on behalf of the committee, in pursuance of a resolution to that effect, and it expresses the opinion of the majority in all the resolutions arrived at, but must not be understood to express the opinion of every individual member of the committee on every point.

The Prison Commissioners have just issued an order that all prisoners destitute of clothing discharged from any of her Majesty's gaols must be sent to the relieving officer of the district to be clothed at the expense of the local ratepayers instead of as hitherto being supplied from the gaol stores. The Maidstone and several other unions object to the imposition of a fresh local burden, and are agitating to have the charge made a county instead of a district one.

SOCIETIES.

SOLICITORS' BENEVOLENT ASSOCIATION.

The usual monthly meeting of the board of directors of this association was held at the Law Institution, Chancery-lane, London, on Wednesday, February 8, Mr. P. Rickman in the chair, the other directors present being Messrs. Asker, Norwich; Brook, Dodds, M.P., Hedger, Hunter, Kays, Pennington, Roscoe, Smith, Styan, and Woolbert; Mr. Eiffe, secretary. A sum of £145 was distributed in grants of relief to necessitous solicitors and their widows and families; ten gentlemen were admitted members of the association, and other general business transacted. The twenty-second anniversary festival of this association will be held, under the presidency of Francis Thomas Bircham, Esq., at the Star and Garter Hotel, Richmond, Surrey, on Wednesday, the 14th of June next.

LEGAL APPOINTMENTS.

Mr. DECIMUS MALLETT ROBBS, solicitor, of Gainsborough, has been appointed Clerk to the Gainsborough Board of Guardians, Assessment Committee, and Rural Sanitary Authority, and Superintendent Registrar for the district, in succession to Mr. Thomas Hugh Oldman, deceased. Mr. Robbs was admitted a solicitor in 1866.

Mr. EDWARD WILLIAM SAMPSON, solicitor, of 37, King-street, Cheapside, and Woolwich, has been elected Vestry Clerk of the parish of Woolwich, in succession to Mr. Tom Walter Peake, resigned. Mr. Sampson was admitted a solicitor in 1876.

Sir JOHN HENRY DE VILLIERS, Chief Justice of the Cape Colony, who has been created a Knight Commander of the Order of St. Michael and St. George, is the son of Mr. Charles Christian de Villiers. He was born in 1842, and he was called to the bar at the Inner Temple in Michaelmas Term, 1865. He was Attorney-General at the Cape of Good Hope from 1872 till 1874, when he became Chief Justice for the colony, and he received the honour of knighthood in 1877. He was recently one of the commissioners for the surrender of the Transvaal.

Mr. ALBERT IVESON, solicitor, of Gainsborough, has been elected Coroner for the Kirton-in-Lindsey District of Lincolnshire, in succession to his partner, the late Mr. Thomas Hugh Oldman. Mr. Iveson had previously acted as deputy-coroner for the district. He was admitted a solicitor in 1860.

Mr. WILLIAM EDWOOD SHIRLEY, solicitor (of the firm of Shirley, Atkinson, & Donner), of Doncaster and Scarborough, has been appointed Clerk to the School Attendance Committee of the Doncaster Town Council. Mr. Shirley is town clerk of Doncaster and registrar of the Doncaster County Court. He was admitted a solicitor in 1843.

Mr. THOMAS WILLIAM THIMBLEBY, solicitor, of Spilsby and Wainfleet, has been appointed Clerk to the County Magistrates at Spilsby. Mr. Thimbleby was admitted a solicitor in 1869. He has also been elected Secretary to the Spilsby Gas Company. Both offices were held by his father, the late Mr. Thomas Thimbleby.

Mr. HERCULES CHARLES YATES, solicitor (of the firm of Mair, Blunt, & Yates), of Macclesfield, has been appointed Registrar of the Macclesfield County Court (Circuit No. 9), in succession to his partner, Mr. William Mair. Mr. Yates is coroner for the Knutsford District of Cheshire. He was admitted a solicitor in 1874.

Mr. RICHARD KEATES FLINT, solicitor, of Uttoxeter, has been appointed Clerk to the County Magistrates at that place, to act jointly with his father, Mr. Abraham Augustus Flint, who is also registrar of the Uttoxeter County Court and one of the coroners for Staffordshire.

The Right Hon. Sir ROBERT PORRETT COLLIER has been appointed a member of the Universities Committee of the Privy Council.

Mr. MARK SHEPHARD, solicitor, of 27, College-street, College-hill, has been elected Chairman of the Gresham Committee of the Common Council for the ensuing year. Mr. Shephard is deputy for the Ward of Vintry.

Mr. RICHARD CLARENCE HALSE, solicitor, of 61, Cheapside, has been elected Chairman of the Cattle Market Sub-Committee of the Common Council for the ensuing year. Mr. Halse was admitted a solicitor in 1860. He is a common councilman for the Ward of Cheap.

Mr. MATTHEW HARRISON, solicitor, of Hartlepool, has been appointed a Commissioner to administer Oaths in the Supreme Court of Judicature.

Mr. GEORGE ALLINGTON CHARSLEY, solicitor, of Beaconsfield, has been elected Coroner for the Southern Division of Buckinghamshire, in succession to Mr. Frederick Charsley, resigned. Mr. Charsley had previously acted as deputy-coroner. He was admitted a solicitor in 1854, and he is also clerk to the magistrates and to the Commissioners of Taxes for the Hundred of Burnham.

Mr. FREDERICK STANLEY, solicitor, of 22a, Austin Friars, has been elected Chairman of the Officers and Clerks Committee of the Corporation of London for the ensuing year, he being a member of the Court of Common Council for the Ward of Broad-street. Mr. Stanley was admitted a solicitor in 1861, and was chairman of the Improvement Committee during the past year.

Mr. GEORGE KEYS, barrister, LL.D., has been appointed a Police Magistrate for the City of Dublin. Mr. Keys was called to the bar in Ireland 1863, and he is a member of the North-West Circuit.

Mr. HENRY WILLIAM LORD, barrister, has been appointed by the Right Hon. Sir James Hannen to the office of Registrar of the District Probate Registry at Lancaster, in succession to Mr. William Henry Bailey, who has been appointed registrar of the district probate registry at Exeter. Mr. Lord is the son of Mr. John Lord, F.R.C.S., of Hampstead, and was born in 1833. He was educated at St. Paul's School, and he was formerly fellow of Trinity College, Cambridge, where he graduated in the first class of the classical tripos in 1856. He was called to the bar at Lincoln's-inn in Hilary Term, 1859, and he is a member of the South-Eastern Circuit. Mr. Lord acted in 1861 as a commissioner to inquire into the employment of children in factories, and he has been for several years one of the revising barristers for the county of Kent.

Mr. WILLIAM H. LENDON, solicitor (of the firm of Layton, Son, & Lendon), of 29, Budge-row, Cannon-street, London, has been appointed a Commissioner to administer Oaths.

COMPANIES.

WINDING-UP NOTICES.

JOINT STOCK COMPANIES.

LIMITED IN CHANCERY.

CITY OF LONDON PRINTING AND STATIONERY COMPANY, LIMITED.—Petition for winding up, presented Feb 8, directed to be heard before Hall, V.C., on Feb 24. Cameron, Gresham House, Old Broad st, solicitor for the petitioner

ENGLISH MOUNT MANUFACTURING COMPANY, LIMITED.—Petition for winding up, presented Feb 8, directed to be heard before Chitty, J, on Feb 18. Ingle and Co, Threadneedle st, solicttors for the petitioner

NILGHERRY AND SOUTH INDIAN GOLD MINING SYNDICATE, LIMITED.—Hall, V.C., has fixed Feb 16, at 12, at his chambers, for the appointment of an official liquidator

PHOTO-CERAMIC COLOURING COMPANY, LIMITED.—Hall, V.C., has, by an order dated Dec 23, appointed Edward Llewellyn Ernest, 4, Queen st pl, Cannon st, to be official liquidator. Creditors are required, on or before Mar 10, to send their names and addresses, and the particulars of their debts or claims, to the above. Saturday, Mar 18, at 12, is appointed for hearing and adjudicating upon the debts and claims

WALA-WYNAAD INDIAN GOLD MINING COMPANY, LIMITED.—Petition for winding up, presented Feb 6, directed to be heard before Fry, J, on Feb 24. Ramskill, Union ct, Old Broad st, solicitor for the petitioner

[*Gazette*, Feb. 10.]

HARZER NATURAL MINERAL WATER COMPANY, LIMITED.—Kay, J, has, by an order dated Jan 23, appointed Frederick Maynard, 14, Queen Victoria st, to be official liquidator

INTERNATIONAL BANK OF HAMBURG AND LONDON, LIMITED.—Creditors, who have not already been allowed as creditors, are required, on or before Mar 4, to send their names and addresses, and the particulars of their debts or claims, to Hermann Gwinner, 113, Cannon st. Monday, Mar 13, at 12, is appointed for hearing and adjudicating upon the debts and claims

SOUTH GARSTON DOCK AND WAREHOUSE COMPANY, LIMITED.—By an order made by Kay, J, dated Feb 4, it was ordered that the company be wound up. Sharpe and Co, New ct, Carey st, agents for Harvey and Co, Liverpool, solicitors for the petitioners

THAMES AND CHANNEL STEAMSHIP COMPANY, LIMITED.—Chitty, J, has, by an order dated Dec 16, appointed James Cooper, 3, Coleman st bldgs, to be official liquidator. Creditors are required, on or before Mar 14, to send their names and addresses, and the particulars of their debts or claims, to the above. Tuesday, Mar 28, at 12, is appointed for hearing and adjudicating upon the debts and claims

UNITED SERVICE PROVISION MARKET, LIMITED.—By an order made by Hall, V.C., dated Feb 6, it was ordered that the market be wound up. Bolton and Co, Lincoln's inn fields, solicitors for the petitioner

[*Gazette*, Feb. 14.]

UNLIMITED IN CHANCERY.

CLITHEROE PERMANENT BENEFIT BUILDING SOCIETY.—Creditors are required, on or before Mar 13, to send their names and addresses, and the particulars of their debts or claims, to Edward Foden, Burnley. Friday, Mar 24, at 11, is appointed for hearing and adjudicating upon the debts and claims

MUTUAL AID PERMANENT BENEFIT BUILDING SOCIETY.—Hall, V.C., has fixed Feb 24, at 12, at his chambers, for the appointment of an official liquidator

ROMFORD CANAL COMPANY.—Petition for winding up, presented Feb 10, directed to be heard before Hall, V.C., on Feb 24. Haynes and Clifton, Romford, solicitors

[*Gazette*, Feb. 14.]

FRIENDLY SOCIETIES DISSOLVED.

GORSLEY FRIENDLY SOCIETY, Gorsley, Hereford. Feb 7

[*Gazette*, Feb. 10.]

CAMBRIAN BENEFIT SOCIETY, Griffin Inn, Gresford, Denbigh. Feb 10

NEW ROMNEY FRIENDLY BENEFIT SOCIETY, Ship Hotel, New Romney, Kent. Feb 11

NON-COMMISSIONED OFFICERS, DRUMMERS, AND PRIVATES' FRIENDLY SOCIETY, Royal Marine Barracks, Plymouth. Feb 11

[*Gazette*, Feb. 14.]

At the Stock and Share Auction Company's sale held on Friday, the 10th inst., at their sale room, Crown Court-buildings, Old Broad-street, the following were amongst the prices obtained:—Carn Camborne Tin and Copper Mining £1 shares, 8s.; Grogwinion Lead Mining £2 shares, 27s. 6d.; North Wales Freehold Copper Mines £1 shares, 11s.; Globe Steamship Company's £100 shares, £36; Oriental Coffee Company £10 shares, 8½; Quebec Central Rails (Canada) £100 Bonds, 74 per cent.; La Plata Mining and Smelting, 2¼; and other miscellaneous securities fetched fair prices. At their sale held on Tuesday, the 14th inst., the following were amongst the prices obtained:—Central Wynaad Gold Mining £1 shares, 15s. paid, 14s.; Old Owlacombe Mines, £1 shares fully paid, 6s. 6d.; Callington Consols £2 shares, 15s.; Kington and Eardisley Rails £21 A. 2 Debentures, £9; West Pateley Bridge Lead Mines £1 shares, 7s. 6d.; Corporation of South Australian Copper Mines £1 shares, 10s. paid, 8s. 6d.; Lombardy Road Rails £10 shares, 8¼; and other miscellaneous securities fetched fair prices.

CREDITORS' CLAIMS.

CREDITORS UNDER ESTATES IN CHANCERY.
LAST DAY OF PROOF.

BELK, GEORGE, Nottingham, Solicitor. Feb 17. Marshall v Belk, Chitty, J. Travell, Nottingham
BROUGHTON, PETER, Tunstall, Salop, Esq. Feb 21. Broughton v Fox, Chitty, J. Watson, Nottingham
DUNCAN, JOHN WILLIAM, Wells st, Hackney. Feb 25. Hunter v Chenell, Hall, V.C. Digby and Liddle, Circus pl, Finsbury circus
MAGEE, THOMAS, Ashton juxta Birmingham, House Agent. Feb 21. Stokes v Bembridge, Hall, V.C. Pointon, Birmingham
MOULD, JOHN ARNOLD, Plympton St Mary, Devon, Deputy Inspector of Hospitals. Feb 23. Mould v Mould. Hall, V.C. Geare and Son, Lincoln's inn fields
NOTLEY, SARAH, Blackheath. Feb 7. Morris v Morris, Bacon, V.C. Stoneham and Legge, Philpot lane
PILLIN, GEORGE ALFRED, Gerrard st, Soho. Feb 28. Pillin v Manley, Hall, V.C. Boulton and Co, Northampton sq
WATSON, THOMAS, Newcastle upon Tyne. Feb 21. Watson v Watson, Hall, V.C. Peace, Grocers' Hall ct [*Gazette*, Jan. 24.]
BONE, FRANCIS, Liskeard, Cornwall. Gent. Feb 24. Bone v Elford, Chitty, J. Bowen, Moorgate st
BUDD, HENRY, St Alban's, Hertford. Feb 24. Budd v Budd, Chitty, J. Shelton, Threadneedle st
CORNICK, JOSEPH, Hampstead, Gent. Mar 1. Cornick v Cornick, Hall, V.C. Boulton and Co, Northampton sq, Clerkenwell
DURRANS, JANE, Oundle, Northampton. Feb 24. Graham v Durrans, Chitty, J. Peace and Waller, Grocers' Hall ct, Poultry
EVANS, MORGAN, Llanrhystid, Cardigan, Gent. Feb 28. Jones v Evans, Fry, J. Roberts, Aberystwyth
HOPKINS, HENRY, Worthing, Sussex, Gent. Feb 20. Hopkins v Clutton, Chitty, J. Holmes, Worthing
LEE, EDMUND, Lewten, Isle of Wight, Yeoman. Feb 22. Lee v Pope, Bacon, V.C. Pittis, Newport
MARSHALL, HENRY PIGHTLING, Allen ter, Fulham rd, Gent. Feb 20. Weller v Hodson, Chitty, J. Harrison, Fowkes bldgs, Gt Tower st
TAYLOR, WILLIAM HARDY, Wymondham, Norfolk, Wine Merchant. Feb 24. Hills v Taylor, Chitty, J. Linay, Norwich

[*Gazette*, Jan. 27.]

CREDITORS UNDER 22 & 23 VICT. CAP. 25.
LAST DAY OF CLAIM.

AUSTIN, WILLIAM, St. Nicholas, Rochester, Painter. Feb 25. Prall, Eastgate, Rochester
BRADLEY, HILARY, Bolton, Lancaster, Brick Manufacturer. Feb 27. Ryley and Haslam, Bolton
BOWLING, CHARLES JAMES LOVELACE, Surgeon in the Peninsular and Oriental Steam Navigation Company's Service. April 30. Bowling, Ramsgate
BREACH, GEORGE THOMAS, Steyning, Sussex, Woolstapler. Feb 27. Cripps, jun, Steyning
BROOKES, WILLIAM, Malpas rd, New Cross, Kent, Gent. Feb 20. Crump, Cannon st
BUNCLARK, JOHN, Buckfastleigh, Devon, Woolstapler. Mar 25. Bryett and Hare, Totnes
CADMAN, FREDERICK SMELTER, Wath-upon-Dearne, York, Gent. Mar 15. Nicholson and Co, Wath
COOKE, GEORGE, Altrincham, Chester. Mar 1. Almond, Manchester
COOK, JOSEPH, Walmley, Warwick, Farmer. Mar 11. Cottrell and Son, Birmingham
COURT, WILLIAM ROYLANCE, Newton, nr Middlewich, Chester, Esq. Mar 25. Bygott, Middlewich
DAGLEISH, JOSEPH, Newcastle-on-Tyne. Feb 28. Newlands, Jarrow-on-Tyne
DARBISHIRE, FRANCIS, Plas Ucha, nr Penmaenmawr, Carnarvon, Farmer. April 30. Darbishire and Tatham, Manchester
EVANS, THOMAS, Bodfeddyg Penygroes, Carnarvon, Bone Setter. Mar 4. Jones, Bangor
FORD, EDWIN, Burton-on-Trent, Retired Publican. Mar 31. Adderley and Marfleet, Longton
GREAVES, ELIZABETH, Ashton Old rd, Lancaster. Mar 1. Slater and Turnbull, Manchester
KELLEY, ANDREW, Benwell rd, Drayton park, Holloway, Solicitor. Feb 20. Cordwell, Moorgate st
LE GROS, PHILIP, Frome, Somerset, Esq. May 1. Dunn and Payne, Frome
LITTLE, WILLIAM BURGESS, Upnor, nr Rochester, Barge Owner. Feb 25. Prall, Rochester
MACKINTOSH, JOHN, Southowram, York, Retired Surgeon. Mar 31. Sykes and Son, Huddersfield
MARSH, ELIZABETH ANN, Queen's gate gdns, South Kensington, Domestic Servant. Mar 6. Flegg, Hill's pl, Oxford st
MEDLEY, EDWARD, York, Esq. Mar 17. Badham and Williams, Salters' Hall ct, Cannon st
NAYLOR, CHARLES, Halifax, Grocer. Mar 4. Longbottom, Halifax
NORCLIFFE, ROSAMOND, Malton, York. Mar 1. Newton and Co, York
PARNELL, WILLIAM, Bridgetown, Devon, Officer of H.M.'s Inland Revenue. Feb 28. Bryett and Hare, Totnes
PERTIOUS, THOMAS MASON, Brighton, Gent. Feb 21. Walls and Co, Queen Victoria st
PYBUS, THOMAS, Stockton-on-Tees, Gent. Mar 4. Newby and Co, Stockton-on-Tees
READ, WILLIAM ANTROBUS, Brighton, Gent. Feb 26. M'Clellan, Bedford row
SCOTT, HENRY, Woodlands terr, Blackheath, Captain, R.N. April 3. Loughborough and Co, Austin Friars
SHOOTER, JOHN, Sheffield, Beerhouse Keeper. Feb 25. Rodgers and Co, Sheffield
SMITH, JOHN THOMAS MILLARD, Pebworth, Gloucester, Farmer. Mar 14. Woodward, Birmingham
TAGART, CHARLES FORTESCUE, Lewes, Sussex, Esq. Mar 1. Fisher and Fisher, Queen Victoria st
WARDLE, MARY, Newcastle-on-Tyne. Feb 28. Arnott and Swann, Newcastle-on-Tyne
WILSON, JOHN, Stockton-on-Tees, Physician. Mar 1. Brayshay, Stockton-on-Tees [*Gazette*, Jan. 31.]
AUSTWICK, HARWOOD, Orsett terr, Bayswater. Mar 6. Tarrant and Mackrell, Bond ct, Walbrook
BAKER, THOMAS, Wiggington, Hertford, Beerhouse Keeper. Mar 25. Vaisey, Tring
BALDING, WILLIAM, the younger, Layland rd, Hatcham, Dealer in Horses. Mar 11. Woodroffe, Great Dover st, Southwark
BICKNELL, CHARLES, Bangor, Carnarvon, Hotel Keeper. Mar 21. Barber, Bangor
BLACK, JOHN, Darlton, Nottingham, Farmer. Mar 7. Marshall, Retford
BRITTON, HENRY, Wellington terr, Vauxhall, Surrey, Fish Salesman. Mar 1. King and Peto, Abchurch lane
CAIN, ARTHUR FRANCIS, Liverpool, Commission Agent. Feb 28. Morecroft and Winstanley, Liverpool
ELLIOTT, MARY WILHELMINA, Kingsbridge, Devon. Mar 1. Blake, College hill, Cannon st
EVANS, ROBERT WOOLLEY, Everton, Liverpool, Retired Licensed Victualler. Mar 18. Brown and Rogers, Chester
FINLAY, ANNE, Talbot sq, Hyde pk. April 6. Nelson and Co, Leeds
GEORGE, GEORGE, Chichester villas, Kilburn. Mar 10. Cole and Jackson, Essex st, Strand
HADLEY, ISAAC, Weston super Mare, Somerset, Gent. Mar 10. Saunders and Bradbury, Birmingham
HATTON, WILLIAM, Neachley, nr Shifnal, Salop, Esq. Mar 1. Hatton, Edgbaston
HEALD, HENRY GEORGE, Albert rd, Peckham, Gent. Mar 15. Woods, Cannon st
HEARSON, JOHN, Barnstaple, Devon, Accountant. Mar 1. Harding and Son, Barnstaple
JACOBSON, MARY, Brandon st, Gravesend, Kent. Mar 1. Mitchell, Windmill st, Gravesend
JONES, JOHN ALLIN, Birmingham, Warwick, Gent. Mar 10. Saunders and Bradbury, Birmingham
LINCOLN, CHARLES FULCHER, Wisbech, Cambridge, Wharfinger. Mar 3. Welchman and Carrick, Upwell
MACTIER, STEWART COLQUHOUN, Lane's Hotel, Haymarket, a Major in the Bengal Staff Corps. April 30. Crosse and Sons, Lancaster pl, Strand
MILES, ALLAN, Albury, Surrey, Carpenter. Mar 4. Durbidge, Guildford
MYERS, LANCELOT, Filkins, Oxford, Retired Farmer. Mar 25. Crowdy and Son, Faringdon
PEARCE, JOHN, Redruth, Cornwall, Travelling Draper. Mar 25. Paige and Co, Redruth
SOUTHEE, VERNON, Milner sq, Barnsbury. Feb 28. Roberts, Ely pl, Holborn
STREETON, JOHN, Whitepost lane, Hackney Wick. Feb 28. Mott, Paternoster row
STRINGFELLOW, GERVASE, Manchester. Mar 1. Lambert, Manchester
SYMMONS, WILLIAM, Hibernia chmbrs, Southwark, Hop Merchant. Mar 25. Parsons and Lee, Sherborne lane
TALBOT, SARAH CAROLINE, Chapel terr, Harlesden. Mar 31. Munton and Morris, Queen Victoria st
WALLER, JANE MILLER, Loughton, Essex. Mar 25. Crosse and Sons, Lancaster pl, Strand
WARD, WILLIAM. Yardley, Worcester, Gent. Mar 10. Saunders and Bradbury, Birmingham
WARREN, GEORGE, Boston, America. Apr 30. Hacon and Turner, Fenchurch st
YATES, JAMES, Whiston, West Riding, York, Esq. J.P. Mar 1. Burdekin and Co, Sheffield

[*Gazette*, Feb. 3.]

LEGISLATION OF THE WEEK.

HOUSE OF LORDS.
New Bills.

Feb. 10.—Bill to amend the law of benefices.—The LORD CHANCELLOR.

Feb. 14.—Bill for the consolidation and amendment of the Acts relating to the property of married women in England and Ireland.—The LORD CHANCELLOR.

HOUSE OF COMMONS.
Feb. 9.—*New Bills.*

Leave was given to introduce the following Bills:—

To make provision for the conservancy of rivers, prevention of floods, and other matters.—Mr. DODSON.

For the better prevention of corrupt and illegal practices at parliamentary elections.—The ATTORNEY-GENERAL.

To make better provision respecting the office of the registry of deeds, wills, and conveyances in the county of Middlesex.—The ATTORNEY-GENERAL.

To regulate the purchase of common lands.—Mr. CHEETHAM.

For the regulation of ecclesiastical burial fees.—Mr. BRINTON.

To repeal the compulsory clauses of the Vaccination Acts.—Mr. P. A. TAYLOR.

Bill to amend the Agricultural Holdings (England) Act, 1875, and to secure to tenants compensation for their improvements in all cases.—Mr. CHAPLIN.

Bill to consolidate and amend the law of partnerships.—Mr. MONK.

Bill to amend the law relating to the granting of licences for the sale by retail of intoxicating liquors not to be consumed upon the premises.—Mr. L. FRY.

Bill to amend the constitution of the Universities Committee of the Privy Council, and for other purposes.—Mr. ROUNDELL.

Bill to amend the law in respect to capital punishment.—Mr. PEASE.

Bill for extending the hours for the solemnization of marriage.—Mr. CAINE.

Bill for the total abolition of vivisection.—Mr. REID.

Bill to amend the Metropolis Management Acts, so far as relates to the rating of places of religious worship.—Mr. A. MORLEY.

Bill to amend the law relating to Commons and Inclosure Acts.—Mr. W. JAMES.

Bill to repeal the Contagious Diseases Acts.—Mr. STANSFELD.

Bill to amend the law relating to parliamentary elections, by providing for the payment of the necessary expenses out of the rates and for a second election in certain cases.—Mr. A. DILKE.

Bill to prevent the sale of patronage in the Church of England.—Mr. LEATHAM.

Bill to provide for the management of the charities of the City of London.—Mr. BRYCE.

Bill to amend the law of bankruptcy.—Dr. DIXON-HARTLAND.

Bill to abolish extraordinary tithe rent charge.—Mr. INDERWICK.

The following Bills were also introduced:—Entail Abolition Bill; Cemeteries Bill; a Bill to amend the law relating to contumacious clerks, the Church Discipline Act, and the Public Worship Regulation Act, 1874; a Bill to establish local tribunals dealing with private Bills in Ireland; a Bill to amend the criminal law; a Bill to amend the law relating to judgments in inferior courts; a Bill dealing with the admission of churchwardens and sidesmen to office; and a Bill relating to Church Patronage.

Feb. 13.—*New Bills.*

Bill for the alteration of the areas of local government in certain cases, and for the re-arrangement of boundaries.—Lord B. FITZMAURICE.

Bill for the repeal of the Contagious Diseases Acts.—Mr. STANSFELD.

Bill for the abolition of the present remedy by distress for the recovery of tithe rent charge.—Mr. LEIGHTON.

COURT PAPERS.

SUPREME COURT OF JUDICATURE.

ROTA OF REGISTRARS IN ATTENDANCE ON

Date.	Court of Appeal.	V. C. Bacon.	V. C. Hall.
Monday, Feb. 20	Mr. Clowes	Mr. Carrington	Mr. Ward
Tuesday 21	Koe	Latham	Pemberton
Wednesday 22	Clowes	Carrington	Ward
Thursday 23	Koe	Latham	Pemberton
Friday 24	Clowes	Carrington	Ward
Saturday 25	Koe	Latham	Pemberton
	Mr. Justice Fry.	Mr. Justice Kay.	Mr. Justice Chitty.
Monday, Feb. 20	Mr. Teesdale	Mr. King	Mr. Cobby
Tuesday 21	Farrer	Merivale	Jackson
Wednesday 22	Teesdale	King	Cobby
Thursday 23	Farrer	Merivale	Jackson
Friday 24	Teesdale	King	Cobby
Saturday 25	Farrer	Merivale	Jackson

SALES OF ENSUING WEEK.

Feb. 22.—Messrs. Farebrother, Ellis, Clark, & Co., at the Mart, at 2 p.m., Ground Rents (see advertisement, Jan. 28, p. 4).

Feb. 22.—Messrs. Edwin Fox & Bousfield, at the Mart, at 2 p.m., Freehold Estates (see advertisements, Feb. 4, p. 4, and Feb. 11, p. 4).

Feb 22.—Messrs. Peto & Co., at the Mart, at 1 p.m., Reversions (see advertisement, this week, p. 4).

Feb. 23.—Messrs. Bean, Burnett, & Eldridge, at the Mart, at 2 p.m., Freehold and Leasehold Estates (see advertisement, this week, p. 3).

BIRTHS, MARRIAGES, AND DEATHS.

BIRTHS.

Evans.—Jan. 23, at Berkeley Lodge, W., the wife of Frank Evans, barrister-at-law, of a son.

Freeman.—Feb. 2, at Staines, the wife of John Robert Freeman, of Lincoln's-inn, barrister-at-law, of a daughter.

Hibbert.—Jan. 26, at Broughton Bank, Grange-over-Sands, the wife of Percy J. Hibbert, barrister-at-law, of a son.

Jones.—Feb. 1, at 37, Sloane-square, S.W., the wife of Reginald Jones, barrister-at-law, of a daughter.

Lomer.—Feb. 9, at 4 East Park-terrace, Southampton, the wife of Walter R. Lomer, solicitor, of a daughter.

Negus.—Jan. 19, at 89, Shirland-gardens, Maida-vale, W., the wife of W. Negus, of Lincoln's-inn-fields, solicitor, of a son.

Peile.—Feb. 2, at 67, Lexham-gardens, Cromwell-road, the wife of Charles Peile, barrister, of a daughter.

Roberts.—Jan. 27, at 29, St. Leonard-road, Exeter, the wife of Charles T. K. Roberts, solicitor, of a son.

Scott.—Jan. 16, at Bedford-park, Chiswick, the wife of Charles Henderson Scott barrister-at-law, of the Middle Temple, of a son.

Smith.—Feb. 7, at Northampton, the wife of William Henry Smith, solicitor, of a son.

Tooze.—Feb. 10, the wife of Arthur E. Tooze, of the Middle Temple, barrister-at-law, of a son.

MARRIAGE.

Plumptre—Lacey.—Feb. 9, at Portsmouth, Claude Charles Molyneux Plumptre, of the Middle Temple, barrister-at-law, to Kate, daughter of James Lacey, late of Dawlish.

DEATH.

Heather.—Feb 9, James Heather, 171, Camden-road, and Paternoster-row, solicitor, aged 72.

LONDON GAZETTES.

Bankrupts.

FRIDAY, Feb. 10, 1882.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Hawgood, Henry, Upcerne rd, Chelsea. Pet Feb 8. Brougham. Feb 21 at 11

To Surrender in the Country.

Hunnings, Edward, High rd, Stamford hill, Zinc Worker. Pet Feb 7. Pulley. Edmonton, Feb 28 at 11

TUESDAY, Feb. 14, 1882.

Under the Bankruptcy Act, 1869.

Creditors must forward their proofs of debts to the Registrar.

To Surrender in London.

Houghton, Thomas Marcus, and George Lawton, Imperial bldgs, Ludgate circus, Builders. Pet Feb 11. Hazlitt. Feb 28 at 11

Muspratt, Charles Hurst, Askew villas, Shepherd's Bush. Pet Feb 9. Hazlitt. Mar 1 at 11

Pye, George Gard, Bedford row, Architect. Pet Feb 9. Hazlitt. Mar 1 at 11.30

To Surrender in the Country.

Pearson, Samuel, Manningham, Bradford, Innkeeper. Pet Feb 10. Lee. Bradford, Feb 28 at 12

Snowdon, Jane, Newcastle-on-Tyne, Provision Dealer. Pet Feb 10. Daggett. Newcastle, Feb 27 at 11

Thompson, George, Blaydon-on-Tyne, Durham, Boot Dealer. Pet Feb 9. Daggett. Newcastle, Feb 24 at 12

BANKRUPTCIES ANNULLED.

FRIDAY, Feb. 10, 1882.

Doyle, William Le Hunte, Boulogne, France, Gent. Feb 3

Spence, Thomas, West Hartlepool, Butcher. Oct 26

Westcott, Simon, Basingstoke, Hants. Jan 12

TUESDAY, Feb. 14, 1882.

Woolrich, Alfred, Liverpool, Tailor. Feb 10

Liquidations by Arrangement.

FIRST MEETINGS OF CREDITORS.

FRIDAY, Feb. 10, 1882.

Achard, Louis Frederic, Mincing lane, Rice Merchant. May 8 at 3 at offices of Cooper and Co, George st, Mansion House. Hollams and Co

Ambridge, Henry, and John Mathews, Gt Marlborough st, Regent st, Music Publishers. Feb 23 at 2 at Cannon st Hotel, Cannon st. Lowless and Co, Martin's-lane, Cannon st

Anderson, David, Bridport. Feb 24 at 2.30 at Cloughs Hotel, in Yeovil. Loggin and Nantes

Ankers, William, Willaston, nr Nantwich. Chester, Grocer. Feb 21 at 11 at offices of Pointon, Albert chmbrs, Church side, Crewe

Archer, David, Dewsbury, York, Innkeeper. Feb 24 at 3 at offices of Iveson and Macaulay, Heckmondwike

Aukett, William John, Brighton, Provision Merchant. Feb 22 at 3 at offices of Nye, North st, Brighton

Baird, Robert, Halifax, Haberdasher. March 2 at 12 at Holborn Viaduct Hotel, Holborn Viaduct. Emmet and Walker, Halifax

Barber, Frederick, Sheffield, York, Photographer. Feb 24 at 3 at offices of Clegg and Sons, Victoria chmbrs, Figtree lane, Sheffield

Barnett, Monish, Margate, Kent, General Dealer. Feb 25 at 2 at 6, Grosvenor ter, Margate. Hills, Margate

Barraclough, James Samson, Halifax, York, Dye Ware Grinder. Feb 24 at 12 at Upper George Hotel, Halifax. Sutcliffe, Hebden Bridge

Bates, Robert Edward, Clerkenwell rd, Clerkenwell, Manufacturing Jeweller. March 1 at 2 at office of Cotton, St Martins le Grand

Bellas, William, Stockton on Tees, Durham, Agricultural Implement Manufacturer. Feb 28 at 12 at the Fleece Hotel, Thirsk. Trotter and Langley, Stockton on Tees

Bergen, Stephen, Waterloo, Northumberland, Grocer. Feb 22 at the County Court, Westgate rd, Newcastle upon Tyne, in lieu of the place originally named

Betts, Benjamin, Birmingham, Dairyman. Feb 22 at 3 at office of Fallows, Cherry st, Birmingham

Binns, Enoch, Birmingham, Warwick, Pattern and Model Maker. Feb 23 at 11 at office of Wignall and Abbot, Colmore row, Birmingham

Binns, Samuel, Bradford, York, Yeast Importer. Feb 23 at 11 at office of Beverley and Freeman, Hustlergate, Bradford

Blakeley, David, Batley, York, Grocer. Feb 23 at 3 at office of Wells, Cookridge st, Leeds

Blomfield, Cornelius, Ipswich, Suffolk, Baker. Feb 28 at 12 at office of Jennings, Princes st, Liverpool

Bossomaier, Richard, Nunhead, Peckham, Wire Cord and Wire Rope Manufacturer. Feb 28 at 3 at offices of Goldberg and Langdon, West st, Finsbury circus

Bran, Charles, Lymington, Hants, Grocer. Feb 22 at 2 at offices of Guy, Albion terrace, Southampton

Brown, William Dusgate, Cambridge, Brewer. Feb 24 at 11 at offices of Foster, Rose crescent, Cambridge. Whitehead, Cambridge

Brumund, Johann Hinrich, Great Grimsby, Lincoln, Ship Chandler. Feb 23 at 12 at Cross Keys Hotel, Kingston-upon-Hull. Haddelsey and Haddelsey, Great Grimsby

Buchanan, Ludovic, South Shields, Engineer. Feb 28 at 3 at offices of Scott, King st, South Shields

Burfield, Robert Collins, Chatham, Kent, Grocer. Mar 1 at 2 at 6, Arthur st, East Reynolds, Furnivals inn

Clarke, George, New Oxford st, Licensed Victualler. Feb 27 at 2 at offices of Layton and Co, Budge row

Coates, Mary, Kilham, York, Innkeeper. Feb 27 at 12 at offices of Jennings and Co, Great Driffield, York

Cole, James, and John Evns, Birkenhead, Chester, Boot and Shoe Dealers. Feb 22 at 3 at offices of Wright, Belvoir st, Leicester

Coles, John, York rd, King's Cross, Joiner. Feb 22 at 3 at offices of Cooper and Co, Lincoln's inn fields

Court, Walter, Congleton, Chester, Baker. Feb 23 at 11 at Lion and Swan Hotel, West st. Garside and Spencer, Congleton

Critchlow, Thomas, Stoke-on-Trent, Joiner. Feb 18 at 11.30 at offices of Stevenson, Cheapside, Hanley

Cross, James Laidlaw, Gracechurch st, Wine Merchant. Feb 20 at 3 at offices of Munns and Longden, Old Jewry

Davis, William, Beatrice terr, Forest Gate, Venetian Blind Manufacturer. Feb 21 at 3 at 145, Cheapside. Butterfield, Ironmonger lane

Dixon, Joseph Alexander, Hulme, Manchester, Timber Merchant. Mar 1 at 11 at offices of Smith and Sykes, King st, Manchester

Edmonds, Harry Cattle, High st, Portland Town, Draper. Mar 1 at 2 at the Guildhall Coffee house, Gresham st. Davie, New inn, Strand

Edwards, Edward, Liscard, Chester, Plumber. Feb 25 at 11 at offices of Bleakley and Downham, Hamilton sq, Birkenhead

Entecott, Henry, Latimer rd, Notting hill, Grocer. Feb 27 at 3 at offices of Matthews and Wells, Southampton bldgs, Chancery lane

Evans, David, Gilfachgoch, Llandyfodwg, Glamorgan, Grocer. Feb 28 at 12 at offices of Rosser, High st, Pontypridd

Fawcett, William, Harrogate, York, Lodging house Keeper. Feb 23 at 3 at the house of Marsden, Ship Inn, Chapel st, Harrogate. Pickering, Leeds

Ferrario, Joseph Francis, Newcastle-on-Tyne, Licensed Victualler. Feb 23 at 3 at offices of Mather and Co, Bank chmbrs, Mosley st, Newcastle-on-Tyne

Fiedler, Edward, Milk st, Commission Agent. Feb 21 at 3 at offices of Crump, Budge row, Cannon st

Foster, George, Wingate, in Armley, Leeds, Joiner. Feb 22 at 2 at offices of Butler and Middlebrook, Park sq, Leeds

Genner, Thomas Caddick, Walsall, Stafford, Forgeman. Feb 21 at 12 at offices of Stokes and Hooper, Dudley, Worcester

George, Joseph, Ladbroke gr, Notting hill, Plumber. Feb 27 at 3 at offices of Jourdain, Ludgate hill

Grimoldby, John, Tetney, Lincoln, Farmer. Feb 24 at 2.45 at offices of H. E. and B. Mason, Victoria st South, Gt Grimsby

Grocott, William, Weston, nr Chester, Joiner. Feb 22 at 2 offices of Thompson and Simm, Hamilton sq, Birkenhead. Francis, Birkenhead

Gutteridge, Charles, Mansfield, Nottingham, Hosiery Warehouseman. Feb 23 at 11.30 at offices of Truman, Poultry arcade, Nottingham

Harper, William Thomas, Ealing, Plumber. Feb 22 at 3 at offices of Macmullen, Praed st, Hyde Park, Paddington

Hearsey, William, Worthing, Boot Dealer. Feb 23 at 1 at No. 145, Cheapside. Verrall, Worthing

Higginson, John, Droyladen, Lancaster, Hat Leather Dresser. Feb 23 at 11 at offices of Darnton and Bottomley, Stamford st, Ashton-under-Lyne

Hill, Edwin, Ilfracombe, Devon, Joiner. Feb 21 at 12 at offices of Thorne, Castle st, Barnstaple, Devon

Hills, William, Erith, Kent, Builder. Feb 23 at 3 at Bull Hotel, Dartford. Mitchell, Windmill st, Gravesend

Hinchcliffe, Edward, Dewsbury, York, Woollen Spinner. Feb 22 at 3 at offices of Shaw, Dewsbury

Hinkley, William John, Lynsted, Kent, Builder. Feb 22 at 11 at offices of Gibson, West st, Sittingbourne, Kent

Hodgson, Elias, Sandgate, Kent. Painter. Feb 28 at 2 at Broadway, Sandgate. Minter, Folkestone

Hodgson, John, Marylebone rd, Carpenter. Feb 25 at 2 at offices of Johnson, Seymour pl, Marylebone

Hoyland, Charles Hugh, Rotherham, Sheffield, York, Solicitor. Feb 21 at 3 at offices of Wing and Co, Prideaux chmbrs, Chang-alley, Sheffield. Peace and Waller, Grocers Hall crt, London

Higgins, John, Peerless st, City rd, Paper Box Manufacturer. Feb 20 at 3 at offices of Moore, Duncan st, Islington
Jenkins, Richard, Aberystwyth, Cardigan, Gasfitter. Feb 16 at 11 at offices of Griffith and Co, Gt Darkgate st, Aberystwyth
Johnson, John, Birmingham, Druggist. Feb 22 at 12 at offices of Pointon, Temple row, West Birmingham
Jones, Robert, Warrington, Draper. Feb 22 at 3.30 at Spread Eagle Hotel, Corporation st, Manchester. Ashton and Woods, Warrington
Lane, Thomas, Salter's Hall ct, Chartered Accountant. Mar 2 at 3 at office of Montagu, Bucklersbury
Larter, George William, Walsham-le-Willows, Suffolk, Miller. Feb 27 at 11 at Fox Hotel, Stowmarket, Suffolk. Gudgeon, Stowmarket
Leslie, George, Sheffield, Chemist. Feb 23 at 12 at Cutlers' Hall, Church st, Sheffield. Rodgers and Co
Locke, John, Wakefield, York. Maltster. Feb 23 at 12 at the Queen's Hotel, Regent st, Barnsley. Dibb and Co, Barnsley
Lowe, James, Newington, York, Grocer. Feb 22 at 11 at office of Gresham and Taylor, Temple bldgs, Bowl Alley lane, Kingston upon Hull
Maddock, Edward, Leicester, Boot and Shoe Factor. Feb 28 at 3 at office of Wright, Belvoir st, Leicester
Main, Alfred, Cambridge rd, Bethnal Green, Draper. Feb 22 at 3 at Guildhall Tavern, Gresham st. Bell, Bishopgate st Within
Mariott, George, Hackney Wick, Printing Ink, Varnish, and Colour Manufacturer. Feb 27 at 3 at office of Kennett, Old Jewry
Marshman, Alfred, Eastbourne, Sussex, Provision Merchant. Feb 23 at 10 at Crown Hotel, Lewes, Sussex. Rashleigh, Three Crowns sq, Southwark
Maryon, Thomas, London Central Market, Smithfield, Meat Salesman. Feb 22 at 2 at offices of Pridham, John st, Bedford row
Millington, Adlard, Deeping Saint Nicholas, Lincoln, Farmer. Feb 24 at 1 at the White Hart Hotel, Spalding. Millington and Simpson
Moore, James, Beccles, Suffolk, Butcher. Feb 23 at 12 at Hall Quay chmbrs, Great Yarmouth. Dowsett, Great Yarmouth
Morgan, James Henry, Kidderminster, Worcester, Tobacconist. Feb 20 at 3 at the Black Horse Hotel, Kidderminster. Phillips and Co, Shifnal, Salop
Morrell, Henry. High st, Bloomsbury, Tobacconist. Feb 20 at 3 at offices of Cooper and Co, Lincoln's inn fields
Moss, William, Lincoln, Brush-wood Turner. Feb 27 at 11 at offices of Tweed and Co, Lincoln
Nash, Daniel, Chepstow, Monmouth, Hotel Keeper. Feb 22 at 12 at offices of Benson and Carpenter, Corn st, Bristol
Neale, Alfred, Sharpness, Gloucester, Hotel Keeper. Feb 21 at 3.15 at the George and Railway Hotel, Victoria st, Bristol. Scott, Berkeley
Oldham, Thomas, Manchester, Fruit Salesman. Feb 24 at 3 at offices of Leyland, Mosley st, Manchester
Pearce, Sidney Herbert, Keynsham, Somerset, Accountant. Feb 20 at 1 at offices of Clifton and Carter, Broad st, Bristol
Peel, John, Morley, York, Grocer. Feb 23 at 11 at offices of Butler and Middlebrook, Park sq, Leeds
Perman, Sidney Henry, Upper Thames st, Wholesale Ironmonger. Feb 23 at 2 at the New Exchange bldgs, George yd, Lombard st. Rae, Mincing lane
Pocock, George Hiles, Weston-super-Mare, Somerset, Builder. Feb 21 at 11.30 at offices of Bakers and Co, Weston-super-Mare
Potts, William Havelock, Sunderland, Tailor. Feb 24 at 12 at offices of Steel, John st, Sunderland
Read, John Charles Crampin, Birmingham, Journeyman Lamp Manufacturer. Feb 28 at offices of Tyler, Colemore row, Birmingham
Reed, John, Millfield, Sunderland, Painter. Feb 22 at 12 at offices of Haswell and Marshall, John st, Sunderland
Robertson, James Palmer, Kent, Drysalter. Feb 23 at 3 at offices of Vant, Leadenhall st
Scott, Alexander Thomas, Ramsgate, Dentist. March 1 at 2 at offices of Sparkes, Harbour st, Ramsgate
Serff, Charles, Arnold ter, Fulham New Town, Baker. Feb 27 at 3 at offices of Noon and Clarke, Blomfield st
Sharp, William Dixon, Liverpool, Stationer. Feb 22 at 2 at offices of Paynter, Cable st, Liverpool
Siddle, Jonathan, Alnwick, Northumberland, Watchmaker. Feb 22 at 11 at offices of Forster and Paynter, Finkle st, Alnwick
Siddle, Francis, Stoke-upon-Trent, Stafford, out of business. Feb 22 at 11 at offices of Kent, Chancery lane
Sier, William Thomas, Vincent sq, Westminster, of no occupation. Feb 23 at 3 at office of Brocklesby and Co, Water lane, Great Tower st
Sprules, James, Portobello rd, Notting hill, Butcher. Feb 28 at 2 at offices of Brett, Mincing lane
Staton, Edward Fox, Newcastle-under-Lyne, Stafford, Painter. Feb 22 at 11 at offices of Turner, Bagnall st, Newcastle-under-Lyme
Starkey, James, Albion rd, Stoke Newington, Builder. Feb 22 at 3 at offices of Parkes, Queen Victoria st
Stockwell, Amos, Leicester, Boot and Shoe Manufacturer. Feb 28 at 3 at Wellington Hotel, Granby st, Leicester. Shires, Leicester
Stockwell, Herbert Umfrey, Astwood, Buckingham, Farmer. Feb 23 at 1 at the Swan Hotel, Bedford
Summers, George Neale, Woodmancote, Dursley, Gloucester, Publican. Feb 24 at 3 at offices of Francillon, Dursley
Thompson, George, Shrewsbury, Salop, Hay and Straw Dealer. Feb 23 at 11 at offices of Clarke and Sons, Swan hill, Shrewsbury
Thompson, John Henry, Hulme, Lancaster, Provision Dealer. Feb 23 at 3 at offices of Beaumont and Rigby, Booth st, Manchester
Verry, Thomas Robert, Peterstow, Hentland, Hereford, Farmer. Feb 25 at 2.30 at offices of Boycott, Palace yd, Hereford
Wain, William, Leek, Stafford, Grocer. Feb 24 at 11 at offices of Smith, St Edward st, Leek
Wainwright, Matthew, Great Ancoats, Manchester, Dairyman. Feb 25 at 10 at offices of Gardner, Cooper st, Manchester
Wanstall, Thomas, Hamstreet, Orleston, Kent, Farmer. Feb 28 at 3 at offices of Hallett and Co, Bank st, Ashford
Wibberley, Samuel, Burton on Trent, Stafford, General Draper. Feb 20 at 2 at offices of Briggs, Amen alley, Derby
Willett, Samuel Benjamin, Leicester, Provision Dealer. Mar 2 at 3 at Queen's Hotel, Stephenson pl, Birmingham. Wright, Leicester
Wilkes, Jesse, West Bromwich, Stafford, Retail Brewer. Feb 24 at 11 at offices of Shakespeare, Church st, Oldbury
Windle, John, Strangeways, Manchester, out of business. Feb 22 at 1 at offices of Gardner, Cooper st, Manchester
Wood, William, Weston super Mare, Somerset, Baker. Feb 23 at 11 at offices of Collins, Broad st, Bristol. Smith, Weston super Mare
Wright, Frederick, Bunwell, Norfolk, Farmer. Feb 18 at 12 at offices of Stanley, Bank Plain, Norwich

TUESDAY, Feb. 14, 1882.

Atkinson, Josiah Green, Sittingbourne, Kent, Coal, Coke, and Wood Dealer. Mar 2 at 11 at offices of Gibson, West st, Sittingbourne
Atkinson, Thomas Lewis, Brunswick villas, St John's Wood, Engraver. Feb 27 at 2 at offices of Emmott, Jermyn st, Regent st
Barrett, Henry, Hereford, Innkeeper. Feb 28 at 2 at offices of James and Bodenham, St Peterast, Hereford
Barrow, George, St Helen's, Lancaster, Draper. Feb 24 at 3 at offices of Riley, Hardshaw st, St Helens
Bartlett, William, Liskeard, Cornwall, Butcher. Feb 27 at 2 at offices of Cannter, Castle Hill, Liskeard
Bates, Henry, Battersea Park rd, Provision Dealer. Feb 23 at 4 at offices of Hanson, King st, Cheapside. Wetherfield, Finsbury pavement
Battle, John, York, out of business. Feb 28 at 1 at offices of Wilkinson, St Helen's sq, York
Beck, James, Ellaston terr, Nutbrook st, Peckham, Clerical Agent. Feb 25 at 4 at office of Coote, Bedford row
Birkett, Holland Thomas, St Martins lane, Woollen Merchant, Mar 1 at 3 at Guildhall Tavern, Gresham st. Wild and Co, Ironmonger lane
Boucher, John, Upton Snodsbury, Worcester, Wheelwright. Feb 28 at 11 at offices of Allen and Beauchamp, Worcester
Bradley, Thomas, Wakefield, out of business. Feb 27 at 3 at offices of Kemp, Wakefield
Brant, Arthur, Tettenhall, Stafford, Japanner's Grainer. Feb 24 at 2.30 at offices of Willcock, Wolverhampton
Brown, Joseph, Bristol, Boot Manufacturer. Feb 23 at 3 at offices of Brown, Corn st, Bristol
Burgess, Joseph, Barrow-in-Furness, Jeweller. Feb 24 at 2 at Station Hotel, Carnforth. Thompson, Barrow-in-Furness
Capon, Joseph James, West Brighton, Fly Proprietor. Feb 24 at 3 at offices of Nye, Brighton
Cave, Douglas Guillaume, St James's st, Jeweller. Feb 28 at 3 at offices of Lumley and Lumley, Conduit st
Chittenden, John, Ashford, Kent, Furniture Dealer. Mar 1 at 3 at offices of Duncan and Co, Bloomsbury sq. Hallett and Co, Ashford
Cooper, William, Halifax, Woolstapler. Feb 28 at 11 at offices of Rhodes, Horton st, Halifax
Crook, William Rufus, Bath, Fishmonger. Mar 3 at 2 at offices of Collins and Son, Abbey ch yd, Bath
Damois, Jules, Hulme, Lancaster, Hairdresser. Feb 22 at 3 at office of Nadin, King st, Manchester
Dear, Stephen, Leicester, Cabinet Maker. Feb 27 at 3 at offices of Hollier and Battiscombe, Market pl, Leicester
Dench, William, Commercial rd, Lambeth, Coal Dealer. Mar 2 at 2 at offices of Lomax, Conduit st, Regent st
Dilks, John, Thornton, Leicester, Licensed Victualler. Feb 24 at 3 at offices of Hollier and Battiscombe, Market pl, Leicester
Duckworth, Thomas, Dilworth, Longridge, Lancaster, Stonemason. Feb 27 at 3 at office of Clark, Lune st, Preston
Etches, Charles Thomas, Widnes, Lancaster, Journeyman Watch Jobber. Feb 27 at 11 at Norton Arms Hotel, Warrington. Yearsly, Widnes
Evans, David, Gilfachgock, Llanyfodwg, Glamorgan, Grocer. Feb 28 at 12 at 30, Broad st, Bristol, in lieu of the place originally named
Evans, Evan Phillips, Bretton in Cleveland, York, Grocer. Feb 24 at 3 at 134, High st, Stockton on Tees. Jackson and Jackson, Middlesborough
Fowle, Charles, Luton rd, Chatham, Builder. Feb 28 at 11.30 at office of Mann, Hamond pl, Chatham
Fowler, Draper, Ashford, Kent, Builder. Mar 6 at 12 at office of Lawrence and Co, Old Jewry chmbrs
Gill, John, Tipton, Stafford, Butcher. Feb 28 at 2 at offices of Travis, Church lane, Tipton
Gossage, Thomas, Birmingham, Cabinet Maker. Feb 24 at 3 at offices of Wright and Marshall, New st, Birmingham
Greengrass, Samuel Richmond, Sea Palling, Norfolk, Grocer. Feb 28 at 12 at offices of Coaks and Co, Bank plain, Norwich
Hamilton, William, Brighton, Upholsterer. Mar 3 at 12 at Guildhall Tavern, Gresham st. Stuckey and Co, Brighton
Harland, William, North Shields, Tailor. Feb 24 at 3 at offices of Jolliffe, Collingwood st, Newcastle-on-Tyne
Harman, Richard Newton, Robsart st, Brixton, Furniture Dealer. Mar 8 at 2 at offices of Tucker, Devereux bldgs, Temple
Harris, Joseph Horner, Stainby, Lincoln, Farmer. Mar 3 at 2 at the Red Lion Inn, Grantham. Stroud, Nottingham
Harrison, Francis, Boston, Lincoln, Plumber. Feb 27 at 12.30 at offices of Dyer, Church lane, Boston
Hartig, William Charles Lewis, Newcastle-on-Tyne, Merchant. Mar 2 at 3 at offices of Sewell, Grey st, Newcastle-on-Tyne
Hawkeswood, Alfred, Birmingham, Fruit Salesman. Feb 24 at 3 at offices of Freeman, Colmore row, Birmingham
Herrod, Matthew, West Retford, Nottingham, Grocer. Feb 24 at 11 at offices of Bescoby, Grove rd, East Retford
Hey, Edward, Walthamstow, Essex, Builder. Feb 24 at 12 at offices of Geaussent, Bishopsgate st Without
Hicks, Julian Sherlock Bult, Riga House, Peckham rye, Scenic Artist. Mar 1 at 3 at offices of Wright and Law, High Holborn
Hill, John Rowland, Birmingham, Confectioner. Feb 24 at 11 at offices of Eaden, Bennett's hill, Birmingham
Hine, Richard, Plymouth, Devon, Licensed Victualler. Feb 25 at 10 at offices of Stanbury, Princess sq, Plymouth
Holehouse, William, Chesterfield, Derby, Boot Maker. Feb 27 at 11 at offices of Jones and Middleton, Gluman gate, Chesterfield
Hulston, Frederick Rowland, Birmingham, Butcher. Feb 24 at 12 at offices of Higgs, Bennett's hill, Birmingham
Hunter, Edwin, Bale st, Stepney, Engineer. Mar 6 at 2 at offices of Beck, East India avenue, Leadenhall st
Hurst, John, Brighton, Sussex, Builder. Feb 28 at 3 at offices of Nye, North st, Brighton
Huxtable, Thomas, Cardiff, Glamorgan, Grocer. Feb 24 at 12 at offices of Collins, Broad st, Bristol
Ingleby, Wilfred, Burton Leonard, nr Ripon, Innkeeper. Feb 27 at 11 at offices of Bateson and Hutchinson, Queen st, Ripon
Ingham, Richard, Sowerby Bridge, Halifax, Cloth Finisher. March 3 at 11 at offices of Rhodes, Horton st, Halifax
Ison, Henry, Selly Oak, Worcester, Baker. Feb 24 at 3 at offices of Duke, Temple row, Birmingham
Jeffs, Edwin, Catshill, Worcester, Shopkeeper. March 4 at 11 at offices of Creswell Institute bldgs, High st, Bromsgrove
Jenkins, Frederick, Bristol, Haulier. March 1 at 2 at offices of Hobbs, Clare st, Bristol
Johnson, George Randall, Waxham Hall, nr Stalham, Norfolk, no occupation. Feb 25 at 12 at offices of Coaks and Co, Bank plain, Norwich
Jones, John Roberts, Llandudno, Carnarvon, Grocer. Feb 28 at 3 at offices of Chamberlain, Mostyn st, Llandudno
Kemp, James, Cleckheaton, York, Grocer. Feb 21 at 11 at offices of Clough, Railway st, Cleckheaton
Leaberry, William, Towcester, Northampton, Farmer. Feb 24 at 3 at offices of Becke, Derngate, Northampton
Lee, John, Bradford, York, Ironmonger. Feb 27 at 11 at offices of Beverley and Freeman, Hustlergate, Bradford
Lees, John, Liverpool, Furniture Broker. Feb 27 at 2 at offices of Bradley and Son, York bldgs, Liverpool
Longstaff, George, Bishop Auckland, Boot and Shoe Maker. Mar 1 at 2 at offices of Trotter and Co, North Bondgate, Bishop Auckland. Bruce, Bishop Auckland
Lynch, Alexander, Jarrow, Boot and Shoe Dealer. Feb 24 at 2 at offices of Joel, Newgate st, Newcastle-upon-Tyne
Marshfield, George, Bristol, Licensed Victualler. Feb 25 at 12 at offices of Phillips Small st, Bristol
Mawdsley, Peter, Portobello rd, Notting hill, Dry Plate Manufacturer. Mar 1 at 1 at offices of Brown, Lincoln's inn fields
Mitchell, Thomas, William Mitchell, and Benjamin Mitchell, Somersham, Huntingdon, Tailors. Feb 28 at 1 at offices of Ruston, Chatteris, Cambridge

Moore, William, Leicester, Tailor. Mar 1 at 12 at offices of Buckby, Gallowtree gate, Leicester
Moreton, Edwin, Stafford, Grocer. Feb 27 at 11 at offices of Morgan, Martin st, Stafford. Podmore, Stafford
Morris, Edward, and John Bebbington, Crewe, Chester, Builders. Feb 24 at 11 at offices of Warburton, Nantwich rd, Crewe
Nailer, William, Bucklebury, Common, Newbury, Berks, Farmer. Feb 27 at 11 at offices of Newman, Friar st, Reading
Page, Jesse, Eastbourne, Gardener. Feb 27 at 4 at Gildridge's Hotel, Eastbourne. Savery, Hastings.
Palmer, Frederick James, Gowan rd, Fulham, Builder. Feb 28 at 2 at offices of Pooley, Sloane st, Knightsbridge
Pickford, John, Estcourt rd, Fulham, Coal Dealer. Feb 21 at 1 at offices of Doveton Smyth, Bow st, Covent garden
Prince, Joseph, Albany st, Regent's pk, Sauce Manufacturer. Feb 27 at 3 at offices of Hicks, Chancery lane
Prust, David, Scarborough, York, Butcher. Feb 25 at 11 at offices of Williamson, Queen st, Scarborough
Putland, Samuel, Burgess Hill, Sussex, Gardener. Feb 28 at 2 at offices of Hardwick, New rd, Brighton
Rhodes, George, Birstall, York, Slater. Feb 28 at 2 at offices of Butler and Middlebrook, Park sq, Leeds
Sargent, Thomas, Churchill, Oxford, Farmer. Feb 24 at 2 at Clarendon Hotel, Cornmarket st, Oxford. Kilby and Mace, Chipping Norton
Selby, Thomas Henry, Worthing, Sussex, Builder. Feb 27 at 3 at Steyne Hotel, Worthing. Verrall, Worthing
Shekleton, Samuel Bingham, Surgeon, and Henry Beardmore Smyth, Student of Medicine, Augusta st, Poplar. Feb 28 at 2 at Guildhall Tavern, Gresham st. Scudamore, Dartmouth st, Queen Anne's gate, Westminster
Shrubb, Samuel John, Broad st bldgs, Actuary. Feb 23 at 12 at offices of Allen, Southampton bldgs, Chancery lane
Solomon, Asher, Piecadilly, Dealer in Works of Art. Mar 7 at 3 at offices of Lewis and Lewis, Ely pl, Holborn
Stevenson, John, Nottingham, Hatter. Feb 24 at 3 at offices of Lees, Severn chmbrs, Middle pavement, Nottingham
Smith, Stephen Samuel, Maldon, Essex, Draper. Mar 2 at 3 at Law Institution, Chancery lane. Evans, Maldon
Sutcliffe, Thomas, and William Sutcliffe, Bacup, Lancaster, Joiners. Feb 28 at 3 at Dog and Partridge Hotel, Fennel st, Manchester. Sykes, Bacup
Sykes, James Hobson, Gainsborough, Lincoln, Tailor. Feb 28 at 1 at Spring gardens, Gainsborough. Sharp, Epworth
Taylor, James, Milnrow, nr Rochdale, Flannel Manufacturer. Mar 1 at 3 at offices of Heap, Lord st, Rochdale. Addleshaw and Warburton, Manchester
Taylor, William, and Thomas Pearson Wright, Birmingham, Warwick, Potato Merchants. Feb 24 at 11 at Queen's Hotel, Birmingham. Ansell, Birmingham
Todd, George, Birmingham, out of business. Feb 28 at 3 at offices of O'Connor, Bennett's hill, Birmingham
Toole, John Henry, Atlantic rd, Brixton, Surrey, Chemist. Mar 2 at 3 at Inns of Court Hotel. Holborn. Gregory and Co, Bedford row
Topham, Christopher Britton, Weelsby, nr Great Grimsby, Builder. Feb 27 at 3 at St Mary's chbrs, West St Mary's gate, Gt Grimsby
Wace, Clement, Carbrooke, Norfolk, Farmer. Feb 28 at 2 at offices of Grigson and Robinson, Watton
Wade, William James, West st, Gravesend, Wholesale Confectioner. Mar 1 at 10 at offices of Whitwell and Co, Finsbury sq bldgs, Chiswell st
Waite, Isaac, Batley, York, Oil Extractor. Mar 1 at 2.30 at offices of Wooler and Wooler, Exchange bldgs, Batley
Waters, Morgan, Neath, Glamorgan, Draper. Feb 22 at 11 at office of Sims, Queen st, Neath
Weller, Daniel, Edward st, Hampstead rd, French Boot Manufacturer. Feb 23 at 11 at offices of Wolferstan and Co, Ironmonger lane
White, John, Bristol, Tobacconist. Feb 23 at 11 at offices of Nicholas, Corn st, Bristol
Whitehead, Charles, Millom, Cumberland, Grocer. Feb 22 at 2 at Temperance Hall, Ulverston. Sims, Barrow-in-Furness
Whitwell, James, Easingwold, York, no occupation. Feb 25 at 11 at offices of Crumbie, Stonegate
Wood, Mary, Birmingham, Fishmonger. Feb 23 at 11 at offices of East, Temple st, Birmingham
Wright, John William, Nottingham, Tea Dealer. Feb 27 at 3 at office of Lees, Severn chmbrs, Middle pavement, Nottingham
Young, Charles, Lewisham, Surveyor. Feb 28 at 2 at 145, Cheapside. Robinson, Christchurch passage, Newgate st

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